Highway Verges – Information

To place any item within the highway requires a legal consent from the authority and landowners should always check in the first instance if they are unclear. In some instances, subsequent highway boundary information may also need to be checked and confirmed prior to any such works. This can be done through the Highways Research and Information team;

<https://www.norfolk.gov.uk/roads-and-transport/roads/highway-boundaries-new-private-and-adopted-roads/highway-boundaries>

As the Highway Authority, the County Council has a scheme that gives permission to place street furniture on the path or verge of the highway. For example, this includes benches, bins etc and would be through the process of a Street Furniture Licence;

https://www.norfolk.gov.uk/business/licences-and-permits/highways-licences-and-permits

In line with the Highways Act 1980 (Section 96) Norfolk County Council as the Highway Authority can in some instances grant a consent to cultivate/grow and maintain plants in highway land. This happens in some market towns where the Town Council have planted flower beds, however, it does come with restrictions and special conditions.

Any encroachment or enclosure is an unlawful interference with public highway rights and can be a potential risk to safety. Under the Highways Act 1980, encroachments generally fall under the following sections;

141 - Restriction on planting of trees etc in or near the carriageway.

143 - Power to remove structures from the highway.

149 - Removal of things so deposited on the highway as to be a nuisance etc.

154 – Cutting or felling trees/hedges that overhang or are a danger to roads/footpaths.