

H13-0163-15.

FIELD ADJACENT TO DAWS GATE, MOULTON CHAPEL.

Date: 18.3.2015.

SCHEDULE 3 WOODY SPECIES

Regulation 2(3) and
Schedule 1, Part 1

Alder (*Alnus glutinosa*)
Apple, crab (*Malus sylvestris*)
Ash (*Fraxinus excelsior*)
Aspen (*Populus tremula*)
Beech (*Fagus sylvatica*)
Birch, downy (*Betula pubescens*)
Birch, silver (*Betula pendula*)
Black-poplar (*Populus nigra* sub-species
betulifolia)
Blackthorn (*Prunus spinosa*)
Box (*Buxus sempervirens*)
Broom (*Cytisus scoparius*)
Buckthorn (*Rhamnus cathartica*)
Buckthorn, alder (*Frangula alnus*)
Butcher's-broom (*Ruscus aculeatus*)
Cherry, bird (*Prunus padus*)
Cherry, wild (*Prunus avium*)
Cotoneaster, wild (*Cotoneaster integerrimus*)
Currant, downy (*Ribes spicatum*)
Currant, mountain (*Ribes alpinum*)
Dogwood (*Cornus sanguinea*)
Elder (*Sambucus nigra*) ✓
Elm (*Ulmus* species)
Gooseberry (*Ribes uva-crispa*)
Gorse (*Ulex europaeus*)
Gorse, dwarf (*Ulex minor*)
Gorse, western (*Ulex gallii*)
Guelder rose (*Viburnum opulus*)
Hawthorn (*Crataegus monogyna*) ✓

Hawthorn, midland (*Crataegus*
laevigata) ✓
Hazel (*Corylus avellana*)
Holly (*Ilex aquifolium*)
Hornbeam (*Carpinus betulus*)
Juniper, common (*Juniperus communis*)
Lime, large-leaved (*Tilia platyphyllos*)
Lime, small-leaved (*Tilia cordata*)
Maple, field (*Acer campestre*)
Mezereum (*Daphne mezereum*)
Oak, pedunculate (*Quercus robur*)
Oak, sessile (*Quercus petraea*)
Osier (*Salix viminalis*)
Pear, Plymouth (*Pyrus cordata*)
Pear, wild (*Pyrus pyraster*)
Poplar, grey (*Populus x canescens*)
Poplar, white (*Populus alba*)
Privet, wild (*Ligustrum vulgare*) ✓
Rose (*Rosa* species) ✓
Rowan (*Sorbus aucuparia*)
Sea-buckthorn (*Hippophae rhamnoides*)
Service-tree, wild (*Sorbus torminalis*)
Spindle (*Euonymus europaeus*)
Spurge-laurel (*Daphne laureola*)
Walnut (*Juglans regia*)
Wayfaring-tree (*Viburnum lantana*)
Whitebeam (*Sorbus* species)
Willow (*Salix* species)
Yew (*Taxus baccata*)

5 species in total
length.

Birds: Blue tits
Wrens
dunnoch
Black bird
Pheasants etc
Field fare s

Heard skylark.
Heard mallard ducks.

Mammals: Brown hares. (one crossed hedge line).

SCHEDULE 2

WOODLAND SPECIES

Regulation 2(3) and
Schedule 1, Part I

Barren strawberry (<i>Potentilla sterilis</i>)	Nettle-leaved bell-flower (<i>Campanula trachelium</i>)
Bluebell (<i>Hyacinthoides non-scriptus</i>)	Oxlip (<i>Primula elatior</i>)
Broad buckler fern (<i>Dryopteris dilatata</i>)	Pignut (<i>Conopodium majus</i>)
Broad-leaved helleborine (<i>Epipactis helleborine</i>)	Primrose (<i>Primula vulgaris</i>)
Bugle (<i>Ajuga reptans</i>)	Ramsons (<i>Allium ursinum</i>)
Common cow-wheat (<i>Melampyrum pratense</i>)	Sanicle (<i>Sanicula europaea</i>)
Common dog violet (<i>Viola riviniana</i>)	Scaly male-fern (<i>Dryopteris affinis</i>)
Common polypody (<i>Polypodium vulgare</i>)	Small cow-wheat (<i>Melampyrum sylvaticum</i>)
Dog's mercury (<i>Mercurialis perennis</i>)	Soft shield fern (<i>Polystichum setiferum</i>)
Early dog violet (<i>Viola reichenbachiana</i>)	Sweet violet (<i>Viola odorata</i>)
Early purple orchid (<i>Orchis mascula</i>)	Toothwort (<i>Lathraea squamaria</i>)
Enchanter's nightshade (<i>Circaea lutetiana</i>)	Tormentil (<i>Potentilla erecta</i>)
Giant fescue (<i>Festuca gigantea</i>)	Wild strawberry (<i>Fragaria vesca</i>)
Goldilocks buttercup (<i>Ranunculus auricomus</i>)	Wood anemone (<i>Anemone nemorosa</i>)
Great bell-flower (<i>Campanula latifolia</i>)	Wood avens/Herb bennet (<i>Geum urbanum</i>)
Greater wood-rush (<i>Luzula sylvatica</i>)	Wood false-brome (<i>Brachypodium sylvaticum</i>)
Hairy brome (<i>Bromus ramosus</i>)	Wood horsetail (<i>Equisetum sylvaticum</i>)
Hairy woodrush (<i>Luzula pilosa</i>)	Wood meadow-grass (<i>Poa nemoralis</i>)
Hard fern (<i>Blechnum spicant</i>)	Wood melick (<i>Melica uniflora</i>)
Hard shield fern (<i>Polystichum aculeatum</i>)	Wood millet (<i>Millium effusum</i>)
Hart's tongue (<i>Asplenium scolopendrium</i>)	Wood sage (<i>Teucrium scorodonia</i>)
Heath bedstraw (<i>Galium saxatile</i>)	Wood sedge (<i>Carex sylvatica</i>)
Herb paris (<i>Paris quadrifolia</i>)	Wood sorrel (<i>Oxalis acetosella</i>)
Herb-robert (<i>Geranium robertianum</i>)	Wood speedwell (<i>Veronica montana</i>)
Lady fern (<i>Athyrium filix-femina</i>)	Wood spurge (<i>Euphorbia amygdaloides</i>)
Lords-and-ladies (<i>Arum maculatum</i>)	Woodruff (<i>Galium odoratum</i>)
Male fern (<i>Dryopteris filix-mas</i>)	Yellow archangel (<i>Lamium galeobdolon</i>)
Moschatel (<i>Adoxa moschatellina</i>)	Yellow pimpernel (<i>Lysimachia nemorum</i>)
Narrow buckler-fern (<i>Dryopteris carthusiana</i>)	

(a) 1980 c.66. See the definition of "bridleway" and "footpath" in section 3.

(b) 1981 c.69.

(c) See the definition in section 66(1).

Species noted: Common mallow 14
Field speed well
White bryony
ivy
Bramble
cow parsley
docks (various)
Ground elder
Common sorrel
Stinging nettles
Cleavers
spear thistle
greater willow herb

None
Recorded
(not ideal
survey season)

Hedgerow exceeds 200 metres.

LENGTH OF HEDGEROW

3.9 The Regulations apply to hedgerows of certain lengths, as follows:

- hedgerows that are 20 metres or more long; or
- hedgerows that are less than 20 metres long, if they are connected at each end to another hedgerow – thereby forming a continuous network of hedges. The length of the adjoining hedgerows is immaterial; the significant factor is the connection; and
- any stretch within one of these hedgerows.

3.10 Regulation 3 explains how to determine whether a hedgerow is or exceeds 20 metres in length. In particular, it stipulates that each hedgerow is to be regarded as starting and/or ending at the point where it forms a junction or intersection with another hedgerow.

3.11 It also includes provision for gaps in the vegetation of 20 metres or less, or those made in contravention of the Regulations, to be counted as part of the hedgerow. A gap is defined in regulation 2(1) as any opening, whether or not it is filled. It may be a hole or it may be filled by a gate or other means of access. The shrubby cover does not, therefore, have to be unbroken in order for the hedgerow to qualify. Nor is it necessary for adjoining hedgerows physically to meet.

3.12 The practical effect of these provisions is illustrated at Annex B.

7.26 To calculate the number of woody species, the hedgerow must be surveyed in accordance with the instructions set out in paragraph 7(3) of Schedule 1 to the Regulations ie:

- where the length of the hedgerow does not exceed 30 metres, count the number of woody species present in the hedgerow;
- 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;
- 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;
- 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.

See also regulation 3 and paragraphs 3.10 and 3.11, which explain how to ascertain the length of a hedgerow.

7.24 Woody species not mentioned in Schedule 3 do not count for these purposes, unless they are hybrids. Where the list in Schedule 3 refers to a group of species (such as Elm, Rose, Whitebeam or Willow), different varieties of these groups only count as a single woody species. Thus a hedgerow containing Hawthorn, Dog Rose, Field Rose, Goat Willow, White Willow and Elder would be assessed, under the Regulations, as containing 4 woody species.

7.25 The qualifying number of woody species is reduced by one for the North of England. This is defined in paragraph 7(2) of Schedule 1 to the Regulations as comprising the counties (as constituted on 1 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 and York.

PARAGRAPH 7 (part): The hedgerow includes:

- (a) at least 7 woody species listed in Schedule 3 to the Regulations; or
- (b) at least 6 woody species, and has associated with it at least 3 of the features specified at paragraph 7.27 below; or
- (c) at least 6 woody species, including either a black-poplar tree, a large-leaved lime, a small-leaved lime or a wild service-tree; or
- (d) at least 5 woody species, and has associated with it at least 4 of the features specified at paragraph 7.27 below.

YES 5
WOODY SPECIES.
(IN TOTAL LENGTH).

7.27 The associated features are as follows:

- a bank or wall which supports the hedgerow along at least one half of its length;
- gaps which in aggregate do not exceed 10% of the length of the hedgerow;
- where the length of the hedgerow does not exceed 50 metres, at least one standard tree. A standard tree is defined as:
 - in the case of a single-stemmed tree, one with a diameter of at least 20 centimetres measured at a point 1.3 metres above natural ground level;
 - in the case of a multi-stemmed tree, one with at least two stems whose diameters are at least 15 centimetres measured at a point 1.3 metres above natural ground level;
- where the length of the hedgerow exceeds 50 metres but does not exceed 100 metres, at least 2 standard trees;
- 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;
- at least 3 ground flora woodland species (listed in Schedule 2 to the Regulations) within one metre, in any direction, of the outermost edges of the hedgerow;
- ✓ - a ditch along at least one half of the length of the hedgerow;
- connections scoring 4 or more points, where a connection to another hedgerow counts as one, and where a connection to a woodland, in which the majority of trees are broadleaved trees, or a pond counts as two;
- a parallel hedge within 15 metres of the hedgerow.

PARAGRAPH 8 (part): The hedgerow:

(a) is adjacent to a bridleway or footpath, a road **NO** used as a public path, or a byway open to all traffic; and

(b) includes at least 4 woody species and has associated with it at least 2 of the features specified at paragraph 7.28 below.

7.28 The associated features are as follows:

- a bank or wall which supports the hedgerow along at least one half of its length;
- gaps which in aggregate do not exceed 10% of the length of the hedgerow;
- where the length of the hedgerow does not exceed 50 metres, at least one standard tree;
- where the length of the hedgerow exceeds 50 metres but does not exceed 100 metres, at least 2 standard trees;
- 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;
- at least 3 ground flora woodland species (listed in Schedule 2 to the Regulations) within one metre, in any direction, of the outermost edges of the hedgerow;
-  a ditch along at least one half of the length of the hedgerow.

7.29 The number of woody species must be counted in accordance with the instructions set out at paragraph 7.26 above (and paragraph 7(3) of Schedule 1 to the Regulations). There is no reduction of woody species for the North of England.