

9.28 Rublees Hedgerow Ongoing Maintenance and Improvement

Briefing Paper

Cllr Paul Campbell

23 May 2020

Under the last council a strategy for the long-term maintenance and improvement of the Rublees protected hedgerow was established by a hedgerow group under the leadership of Roger Brown. Report of February 2017 attached as Appendix 1

28 May 2019 Minutes

Hedgerow group–Mr Brown updated from the Hedgerow group and pointed out there was one Cllr representative spot now vacant–Cllr Taylor volunteered for this position. The previously agreed recommendations compiled by the Hedgerow group to be redistributed by the Clerk and to be on the Agenda for next meeting for new Councillors to agree. Next meeting to be convened in September/October time –Roger Brown to suggest dates for this meeting. In the meantime, it was suggested that the SCO, Hedgerow and Allotments are ‘toured’ by Cllrs on the same date

NB Not brought forward for agreement

25 June 2019 Minutes

Meeting with SCO to be convened prior to next Amenities meeting –Actioned
A/19/4.2 Previous Hedgerow group recommendations and some updates to be distributed to Amenities members -Actioned

Report on Steyning Community Orchard and Hedgerow group and Rublees Allotment walk around with Councillors and representatives of groups for familiarisation. Successful meeting took place in order to discuss the various issues. Copy of the report produced and also Roger Browns Bat reports to be attached with these minutes.

NB Neither report nor recommendations appear to be on the website

23 July 2019 Minutes

A/19/19.2 Walk around report and Bat Reports to be put on Web site -Actioned

NB Neither report appears to be on the website

24 September 2019 Minutes

Hedgerow group update –The Clerk read a message from Roger Brown suggesting the working party needs to meet towards the end of October and he would ensure this is facilitated.

29 October 2019 Minutes

Hedgerow group –Cllr Campbell updated that there was a meeting planned on the 11th November and there will be a formal proposal for next meeting

26 November 2019 Minutes

Hedgerow group meeting of 11th November '19 reported on by Roger Brown, included hedgerow trimming to be undertaken adjacent the Allotments as per supporting papers. (see supporting paper 6.1 on SPC website re Amenities meeting of 26 November 2019)

Cllr Campbell proposed, seconded by Cllr S. Sullivan that the Hedgerow working party proposals for the Eastern hedge, the Committee is minded to support in principle and will make a decision at the next meeting subject to the Clerk gaining quotes for that purpose and subject to a height recommendation coming back to the next committee. Agreed

Cllr Campbell proposed, seconded by Cllr Goldsmith that the Clerk be charged with arranging with Rowan (Contractor) that the work referred to in 1.7 of the Hedgerow Working party report be undertaken and to liaise with Alec Harden who in turn can delegate so that one of the members of the SCO will be present and supervises on the day. Agreed

7 January 2020 Minutes

Cllr Campbell proposed, seconded Cllr S. Sullivan that the Clerk is to seek three quotes to carry out work in the den area of the MPF on two trees, both being identified by red tape, one largish cherry plum to be pollarded to a height of two metres and one Cherry plum to have two limbs (identified by red tape) removed, and that all the chippings be delivered to inside the Northern allotment gate. Agreed

Cllr Campbell proposed, seconded by Cllr S. Sullivan that the Clerk be directed to produce the invoice (from the tree surgeon) for the Committee within a week of this meeting. Agreed This relating to whether previous work for which payment had been made had been completed in den area of the MPF in February 2019.

Committee addressed the details of the second part of the quote (from contractor as supporting paper) making amendments so that the three new quotes to be obtained would be correctly based. Cllr Campbell proposed, seconded by Cllr S. Sullivan that the quotes would

be to reduce the height of the Southern third of the hedge between MPF and allotments to 4 metres (from current approx. 7 metres) and to leave untouched the sides and the five (clearly marked by coloured tape) perry pear trees which are to be shaped over following years so that they become specimen trees. (The intention being to cut the Northern third the following year and the middle section the year afterwards with new quotes being obtained first). Agreed

Committee also discussed a letter from a resident which related to the hedgerow works just discussed. Chairman said there is a balance to be struck on all hedgerow matters. Cllr Campbell proposed, seconded by Cllr Goldsmith that the Clerk be directed to, within seven days, write a letter in reply to the member of the public thanking him for his comments and asking him to consider looking at the minutes of the last two meetings and asking him to listen to the relevant part of the audio recording of the last two meetings to help him appreciate we are not discounting the points raised from the allotment holders but that rather we have attempted to strike a balance between all members of the community. Agreed

28 January 2020 Minutes

A/19/80.4 Clerk to seek three quotes for MPF/Allotment hedge works—See item 96.29

96.29 A/19/80.2 Clerk to seek three quotes for Cherry Tree works as detailed –Clerk has asked for a requote from the first contractor and is seeing two other contractors for quotes over the next three days

96.30 /19/80.3 Clerk to distribute invoice from tree surgeon for MPF ‘Den’ works from February ‘19—Actioned. Clerk reported the invoice was paid for work completed and although this work differed slightly from the rather complex scope of works he and the then Cllr Bowell felt reasonably content that the Council had received a good service, in spite of the fact that this left some elements to be completed the following year.

A/19/80.5 Clerk to write to Resident in response to query about allotment hedgerow height—Ongoing

25 February 2020 Minutes

To discuss and agree preferred option for hedgerow works from the three quotes presented. Cllr Lloyd proposed, seconded by Cllr Goldsmith that point 2 of the quote from contractor #2 to include chipping it and chipping the pile from the Den and to take the chippings to the Allotments all for £750 plus VAT then he had got the job, with the Clerk running the scope of works past the committee before it goes out. Agreed

Plum trees. Clerk to obtain a quote for the work to be undertaken by the same contractor based on the wording of the first contractors quote concerning the two plum trees, the clerk to send out the photographs of the trees to illustrate the details. Cllr Goldsmith proposed, seconded by Cllr Lloyd to delegate authority to the Clerk to organise the works to the plum trees provided it comes in under £350. Agreed

28 April 2020 minutes (draft)

Hedgerow works at the MPF-The Clerk spoke with the chosen contractor to renegotiate the quote. Whilst the price was agreed unfortunately due to other issues at SPC connected with the Covid-19 crisis the contractor was given insufficient time to complete works before nesting season started, so works to be delayed until autumn.

In terms of the plum trees on the MPF the contractor was to meet the Clerk the next day – 29th April, to ensure work specification agreed. Work to then be completed within the next two weeks. Cllr Campbell proposed, seconded by S. Sullivan that the Clerk to have delegated authority to ensure the work is completed in liaison with Roger Brown. Agreed

26 May 2020 Agenda

9.28 A/19/117 Hedgerow works on MPF postponed to the Autumn – Clerk to update

NB

Update needed as to whether contractor has been firmly booked for the Autumn hedgerow works and sight of final specification and quote for the contract needed

See also the May to July 2019 outstanding matters (*italicised comments above*)

Appendix 1 A Report on the History and Natural History of the Hedgerows forming the boundaries of the Rublees Allotments in Steyning.

Including Recommendations for their Future Management



Photo showing the eastern hedge from the Memorial Playing Field

Roger Brown. Retired Biologist and Librarian.

Dr Janet Pennington. Local Historian and Author

Dr Fran Wedderburn. Kew Professional Botanist working at Wakehurst Place.

Louise Mandry. Professional Ecologist

David Buckett. Retired Steyning Grammar School Biology Teacher

Simon Zec. Arboriculturalist. Parish Council Tree Warden.

Bob Platt. Steyning Downland Scheme Trustee. Local Expert Naturalist.

Pete Varkala. Local Expert Naturalist.

February 2017

Executive Summary

The hedgerows bordering the Rublees Allotments have been the subject of much debate during the current project to provide a fence around the Allotments.

There has been considerable uncertainty about the status of these hedges, whether they are ancient, important, protected or unprotected. This has made decision making about the new fence and maintenance of the hedges problematic for the Parish Council.

A tree/shrub species survey was carried out on the hedges on the long east and west sides, and research has been carried out into the local history of the eastern (Rublees/Memorial Playing Field) boundary.

According to the criteria quoted in the Hedgerow Regulations 1997, both hedges qualify as 'Protected Hedges'.

In our view, the eastern hedge additionally qualifies as an 'Important Hedge' under these Regulations, and as such may not be removed or damaged. Damage includes damage to the root system caused by trenching, or damage to roots exceeding 20mm thick or clumps of smaller roots.

This hedge was found to contain 45 Perry Pear trees. (see photo on the front of this report, where 7 of these trees can be clearly seen)

Therefore it is not only an important landscape feature, framing the downs from the MPF, but could also have an important local history connection to a so far unknown Perry industry in Steyning. The trees themselves could be rare examples of Perry Pear fruit. Further research is certainly justified.

Meanwhile, in order to protect them, no work should be carried out on them, until an informed management plan for this hedge is agreed.

We would be willing to assist the Parish Council in preparing this plan.

1. Introduction

The Rublees Allotments in Steyning were established around 1890. They are entirely within the South Downs National Park. The land is owned by Steyning Parish Council, and managed by the Playing Fields Committee of that Council.

The allotments are bounded on the two long sides (eastern and western boundaries) by hedges, and on the shorter north and sides by newly erected galvanised metal gates and mesh fences.

The next planned phase of the allotment fence programme is to erect fences on these two long sides.

A group of local residents with skills and experience in conservation, habitat management and natural and local history, present this report to the Parish Council to help improve future decision making about these hedges.



Rublees Allotments ©

Google

2. Description and survey of the Rublees hedges

Both hedges are a significant landscape and visual feature of Steyning when viewed from the downs to the south and west, and from the Memorial Playing Field (MPF) from the east and north.

The long hedge on the western side provides valuable wind protection for the allotments on that side from westerly/south westerly gales , and the eastern hedge performs a similar function from easterly/north easterly winds for allotments on that side.

The western hedge is an important highway for animals such as bats and small mammals as it is the first vegetation coming off the downs across the huge field belonging to Mr Spackman. This hedge then connects with the hedge going up to the downs at its northern end, and with the gardens of Steyning at its southern end.

The eastern hedge (bordering the MPF) has 80 trees/shrubs of 10 different species. (See Appendix 1).

The hedge on the western boundary (facing the downs) contains 36 trees/shrubs of 9 different species. (See Appendix 2).

A bird survey for an hour on 10th December 2016 recorded over 90 birds of 14 species across Rublees. The hedges on both sides of Rublees provide an important source of food, shelter and nesting sites for birds. (See Appendix 3.)

3. Protection under the Hedgerow regulations

Both hedges are protected under the Hedgerow Regulations (1997). [Refs 1,2 &3].

The western hedge is over 20m long (c130m) and adjoins agricultural land, and the eastern one is also over 20m long (c150m) and adjoins a Village Green. This qualifies both of them under the Regulations. These hedges can only be removed or have damaging work done to them if such work is applied for and approved by the Local Planning Authority.

In our opinion, the eastern hedge also qualifies as an 'Important Hedge' under the Regulations, as it is more than 30 years old and marks a Parish boundary dating before 1850. This gives it even more protection, and cannot under any circumstances be removed or have damaging work done to it. Fines for contravening the Regulations are £5,000, with a limitless fine if taken to Court.

The DEFRA guide to the regulations (Ref 3) says this about removal/damage.

3.15 and 3.16: The Environment Act of 1995, section 97(8) defines removal of a hedge as to 'uproot or otherwise destroy'. It includes grubbing out, but also other acts that may result in the destruction of the hedgerow. Any earthworks near the hedge (such as trenching) should take care not to damage roots over 20mm diameter (3/4") or clumps of smaller roots.

Evidence for these statements;-

1.The West Sussex Record Office holds a map from the Wiston Archives dated 1825, entitled 'Tenantry Laines'. It shows ownership/tenancies of land in this area. The current MPF/Rublees boundary is shown as a line

dividing 2 land strips owned by The Wiston Estate and 'College' [MapRef 1]

2.The 1840 Tithe Map (at the Record Office and Steyning Museum) shows this same boundary as a division between plots 201 and 202, owned by Charles Goring (Wiston) and Magdalen College (Oxford). Tenants are John Kidd and Richard Gates respectively. [MapRef 2]

3.The 1875 OS map of the area also shows this boundary, with parish marker stones at either end, which further indicates the historical importance of this boundary line. [MapRef 3]

4. Eastern hedge Perry Pears (MPF/Rublees boundary)

The eastern hedge has another intriguing aspect. In early Spring it is covered in a spectacular mass of white blossom, easily mistaken from a distance for Hawthorn (May) blossom. But this blossom appears much earlier in Spring. It is followed in Autumn by a huge crop of strange pear-like fruit, all very different, with most being very astringent and inedible. These are much valued by birds and butterflies as a late food source.

It has very little Hawthorn, Ash or Hazel and no Field Maple or Blackthorn, the species you would expect to see in a country hedge. But it does have 45 pear trees along its entire length. Most are covered with ivy, are multi-stemmed, with thick stems continuing up to 5m or so, before there is evidence of continuous 'topping' over many years. (There used to be power lines overhead. The power company kept the hedge below the height of the cables by regular cutting. The cables are now underground adjacent to the hedge, marked by concrete posts.) It is difficult to assess their age, but by their girth and size, they are estimated to be well over 100 yrs old.

Fruit from these trees were shown to Joan Morgan, (the country's premier expert on apples and pears based at Brogdale, the National Fruit Collection in Faversham, Kent) at the Stanmer Park Apple Day in Brighton in October 2014. In her opinion they are fruits from Perry Pear trees.

In September 2016, pictures of the trees and fruit were sent to Bernwode Nurseries, (who have supplied many of the fruit trees planted

in the adjacent MPF Community Orchard) They have their own collection of Perry Pears. They replied:

“Thanks for the pictures. They do look like Perry pears. Other pears do not tend to have such dense clusters, except under some very unusual conditions. They do, as you suggest, seem to have been planted very deliberately. They certainly seem old. I don't know of any other case where perry pears have been planted in a hedge. The varieties will probably be very old – and they might be very local. As I said, perry and cider making went on in just about every area of the country 100-400 years ago. So there is every possibility that your hedge pears were used for this purpose many years ago. Best wishes, Derek Bernwode.”

The confirmation that these trees are Perry Pears is significant and raises more questions. Who planted them? When did they plant them? Why did they choose Perry pears to mark the boundary, rather than the more usual hedgerow species?

So far, we have not been able to find out. The Steyning Museum were not able to shed any light on it. The trees may have been planted whilst the land belonged to the Wiston Estate, before it was sold to Lewis Wood in the 1930's, who then sold it on to the Council in the 1970's.

This boundary has been there for over 190 years. It seems unlikely that these trees date from that time, but Perry Pears can be very long-lived trees.

A recent BBC Countryfile programme visited Herefordshire and reported how the Perry pears there are used to produce traditional Perry drink (pear cider). They also showed Perry pear trees many hundreds of years old. Some of them very rare varieties that are now being recognised and preserved for the future. We may have similar local varieties in this hedge, we simply do not know.

Attached are some pictures of the hedge and fruit. (Pics 1-4)

5. The threat to these hedges

The next planned phase of the allotment fence programme is to erect fences on both the east and west sides of Rublees.

It has been stated several times at Playing Field Committee Meetings that 'advice from Horsham is that they are not ancient and we need not be too concerned about them.' This is clearly not the case. Both hedges **are** protected, with the eastern one also being 'important' under the Hedgerow Regulations.

This needs to be taken into account during the planning for the next phase of the fencing project. As previously stated, an 'Important' hedge can neither be "removed or have damaging work done to it".

6. Recommendations

1. No further work be carried out on these hedges this cutting season.
2. Horsham District Council arboricultural officer be invited to assess these hedges with a view to giving the Parish Council a definitive written decision of their status under the Hedgerow Regulations (1997)
3. During 2017 surveys be carried out into the use of the hedges by wildlife such as small mammals, bats, birds and insects.
4. Further research be carried out into the Perry pear trees. Attempt to identify the varieties.
5. With this evidence to hand, towards the end of 2017, to develop a full management and maintenance plan for both hedges between ourselves, the Parish Council, the Allotment Association and Steyning Community Orchard.

7. Signees to this report

Roger Brown. Retired Biologist and Librarian.
Dr. Janet Pennington. Local Historian and Author
Dr. Fran Wedderburn. Kew Professional Botanist working at Wakehurst Place.
Louise Mandry. Professional Ecologist
David Buckett. Retired Steyning Grammar School Biology Teacher
Simon Zec. Arboriculturalist. Parish Council Tree Warden.
Bob Platt. Steyning Downland Scheme Trustee. Local Expert Naturalist.
Pete Varkala. Local Expert Naturalist.

Email contact via: browns.steyning@btinternet.com

See also

- Accompanying letter of support from Petra Billings. Chartered Ecologist and Woodland Management expert.
- Email to the Parish Clerk dated 2nd February 2017 from Matthew Thomas, Project Manager of the Steyning Downland Scheme. "Hedge at the boundary between the Rublees Allotments and the Memorial Playing Field"

Appendices

Appendix 1. Survey of trees/shrubs in the eastern hedge.

Anything under 10' not counted.

45 Perry Pear
13 Elder
5 Cherry plums
4 Hazel
4 Sycamore
4 Hawthorn
2 Apple trees (crab)
1 Ash
1. Wild rose
1 Euonymous (spindle ?)
80 total

Appendix 2. Survey of trees/shrubs in the western hedge

Anything under 10' not counted.

2 Sycamore
1 Field Maple
1 Horse chestnut
24 Hawthorn
2 Elder

3 Cherry Plum
1 Dog Rose
1 Privet
1. Dogwood
36 total

Appendix 3. Bird Survey. 1 hour. December 2016.

Blackbird x 8
Magpie x 4
Blue Tit x 4
Goldfinch x 20
Chaffinch x 2
Wood pigeons (25+)
Greater Spotted Woodpecker
Crow x 5
Starling x 2
Robin x 2
Greenfinch x 10
Song Thrush
Long tailed tit x 6
Great Tit x 2

References.

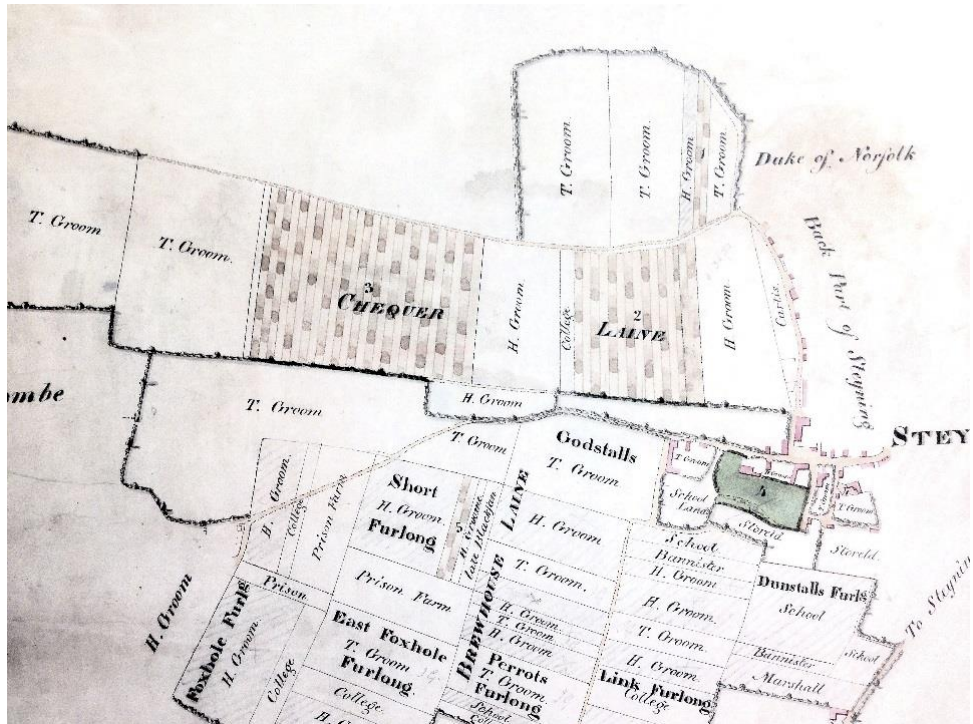
Ref 1. The Hedgerow Regulations 1997. (SI 1997/1160) HMSO

Ref 2. Natural England. Land Management. Countryside Hedgerows: protection and management.

<https://www.gov.uk/guidance/countryside-hedgerows-regulation-and-management>

Ref 3. The Hedgerows Regulations 1997. A guide to the Law and Good Practice. Dept Env Transp & Regions (now DEFRA). 1997.
isbn 1851120378

[MapRef 1] Wiston Estate 1825



[MapRef 2] 1840 Tithe Map



[MapRef 3] 1875 OS Map



Blossom and Fruit of the Perry Pears on the Eastern Rublees Hedge.
[Pics 1-4]

