

**DERBYSHIRE COUNTY COUNCIL  
ECONOMY, TRANSPORT AND ENVIRONMENT**

HIGHWAYS ACT 1980: SECTION 142 (adjacent owner/occupier); SECTION 96(4) (District/ Borough Council); SECTION 96(5) (Parish Council)

**APPLICATION FOR LICENCE TO CULTIVATE ROADSIDE VERGES**

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Name(s) in full of all persons to be included on the Licence

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Full Address.....

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Phone No.....

Email.....

Location of cultivation.....

PLEASE TICK APPROPRIATE BOX:

**1 Type of Licence:**

(a) To an Occupier of adjoining property

A Non-Transferable licence which may be for a fixed period.  
Proof of tenancy must be provided with your application.

(b) To an Owner of adjoining property

A licence which is to run with the premises concerned.

(c) To a Parish/Town/District/Borough Council

**2 Are the plants:**

Already planted  To be planted

**3 Type of cultivation:**

Bedding Plants/Bulbs  Shrubs  Grass

HIGHWAYS ACT 1980: SECTION 142; SECTION 96(4); SECTION 96(5)  
TERMS AND CONDITIONS OF LICENCE

- 1 The licensee shall indemnify the highway authority against claims arising out of exercise of the licence.
- 2 The licensee shall ensure that the apparatus of Statutory Undertakers, Sewage Authorities or the Post Office are not damaged by the cultivation of the highway.
- 3 No shrubs or plants which are of a poisonous nature shall be planted.
- 4 All plantings in pursuance of the licence shall be maintained in a way which will not affect the statutory rights of road users. Visibility lines etc must be retained at all times.
- 5 The County Council or any Statutory Undertakers may at any time enter the part of the highway to which licence relates without notice to the licensee in order to carry out necessary works.
- 6 The growing of vegetables shall not be permitted.
- 7 The erection of fencing or other obstruction shall not be permitted.
- 8 Use of pesticides (eg herbicide insecticides, fungicides etc) is not permitted without prior consent in writing from the Environment Agency.
- 9 Trees will not be considered due to the ongoing maintenance liabilities and the height restrictions for visibility requirements which is usually applied as a condition of the licence.

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PLEASE PROVIDE A SKETCH PLAN OR MARKED PHOTOGRAPH WHICH INDICATES CLEARLY, TO SCALE, THE AREA, DIMENSIONS AND NATURE OF CULTIVATION IN RELATION TO YOUR PROPERTY AND THE PUBLIC HIGHWAY.

PLEASE ALSO PROVIDE A CLEAR AND DETAILED MARKED MAP WHICH SHOWS THE LOCATION OF THE AREA OF CULTIVATION IN RELATION TO NEARBY PROPERTIES AND ROADS.

**IT WILL NOT BE POSSIBLE TO PROCESS YOUR APPLICATION WITHOUT THESE.**

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I agree to meet the terms and conditions of the licence as scheduled above

Signed .....

Name .....

Position (if applying on behalf of a Council).....

Date .....

Please return to: [highways.hub@derbyshire.gov.uk](mailto:highways.hub@derbyshire.gov.uk) or Derbyshire County Council, Economy, Transport and Environment, Room 199B, County Hall, Matlock, DE4 3AG