

The (Unmade) Avenue (BR3) Association Limited

Company Number 11959831

Important Notice

Recent Safety Incident - Trees

On the verge outside the boundary of Ribble Hurst , a substantial part of a major tree fell into the road, when falling causing damage to a stationary car. It happened around 7am. on Monday 17th August.

Ribble Hurst quickly went into action and arranged for the broken tree to be removed at their cost. Ribble Hurst was aware that under the Highways Act on an unadopted Highway, with the incident being outside their boundary the liability was with the Ribble Hurst residents.

If you recall the maintenance and liabilities on an unadopted road extend from the boundary of the property to the middle of the road.

Under the 1980 Highways Act Part 1V sections 49 - 55 and 56 - 58, and as confirmed in the Government Briefing paper the Frontages of the property have a legal responsibility to maintain., and the Local Council have the authority to carry out emergency works to repair an unadopted road if it becomes a danger and **charge back to the Frontagers.**

It was by luck and fortunate that it was not at a later time when there would have been foot traffic passing under the tree or a moving car passing by. There could have been a major injury or even a fatality.

On many occasions The Avenue Association has covered the 1984 Highway Act for unadopted roads ,and the residents responsibilities and liabilities under the Act. We have also highlighted the importance of keeping the verges clear outside your property boundaries and the safety hazards it could cause if not kept clear. We have seen a good response from residents where improvements have been made.

It is also again worth reminding residents that the Association Articles only cover the soil on the road and not the verges. The Association facilitates the repair of the road and not the verges. In most of our annual Resident Updates we cover the importance of residents maintaining the verges.

The Council have made it clear as they are not responsible for the unmade road, they will not attend, action or pay for any removal of trees.

The Association would like to thank Ribble Hurst residents for their quick action, and we feel this is a wake up call for all of us.