

### **HIGH HEDGES COMPLAINTS FORM**

Use this form to submit a complaint to the Council about a high hedge, under Part 8 of the Anti-social Behaviour Act 2003. It should be completed by the person making the complaint or their representative.

**Before completing this form, please read the guidance notes attached and the leaflet 'High Hedges: complaining to the Council'. Please use BLOCK CAPITALS and black ink.**

**YOU MUST PAY A FEE WHEN YOU SEND IN THIS FORM. The current fee is £300. (Applicants in receipt of income or housing benefit can claim a 50% reduction subject to proof of benefit.)**

**The Council will rely on the information you provide so please make sure it is clear and accurate.**

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**1. Who's who/the parties (please continue on separate sheet if more properties affected)**

**1.1 Address of property affected by hedge and name of person living there**

Name.....

Address.....

.....

.....

Telephone No.....

Email.....

Are you content to be contacted by email – YES/NO

**1.3 Complainant's Details \*  
(if different to 1.1 above).**

Name.....

Address.....

.....

.....

Telephone No.....

Email.....

**1.2 Where is the hedge is growing?**

Name.....

Address.....

.....

.....

Telephone No.....

Email.....

**1.4 Owner of Hedge  
(if different to 1.2 above).**

Name.....

Address.....

.....

.....

Telephone No.....

Email.....

\* If acting on behalf of the complainant please indicate on separate sheet –

also indicate if you are a professional advisor, relative, friend or other representative

**2. Attempts to resolve complaint**

**Please describe what you have done to try to settle this matter. Give dates and say what the result was. Please provide copies of any letters that you mention.**

**2.1 Asked to discuss problem**

**2.2 Asked the hedge owner to try mediation**

**2.3 Informed them of your intention to complain to the council**

**If you have not tried all the above steps, the Council might not proceed with your complaint.**

**2.4 Anything else**

**3. Criteria for making a complaint**

*About the hedge*

*Delete as applicable*

- 3.1 Is the hedge (or the portion that is causing problems) made up of a line of two or more trees or shrubs? YES/NO
- 3.2 Is it mostly evergreen or semi-evergreen? YES/NO
- 3.3 Is it more than two metres above ground level? YES/NO
- 3.4 Even though there are gaps in the foliage or between the trees, is the hedge still capable of obstructing light or views? YES/NO
- 3.5 Is the property affected residential? YES/NO
- 3.6 Is the hedge on the boundary of your property. YES/NO  
If the answer is no, what is the distance separating the hedge from your boundary. .... metres

If you have answered 'No' to any of the questions in this section (3.1 - 3.5), the criteria have not been met and so the Council cannot consider your complaint.

***Who Can Complain***

- 3.6 Is the complainant the owner or occupier (tenant) of the property affected by the hedge? OWNER/OCCUPIER (please delete as appropriate) YES/NO
  - 3.7 Is the property residential? YES/NO
- 

**4. Grounds of complaint**

**Please describe the problems actually experienced as a result of the hedge being too tall, and say how serious they are. It will save time and help you case if you stick to the facts and provide all relevant information to back up the points you are making**

Please continue on a separate sheet if necessary

**To help the Council understand your situation, please provide a photo of the hedge and a plan or sketch of both the site where the hedge is growing and the property it is affecting, with the hedge clearly marked on it.**

**5. Supporting documents**

**5.1 Have you enclosed the following:**

**A photo of the hedge**

**A location plan of the hedge and surrounding properties**

**Copies of correspondence with your neighbour about the hedge**

**Copies of any other documents that you mention (please list below)**

.....  
.....  
.....  
.....

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**6. Sending the complaint**

**6.1 I confirm that I have completed as much of this form as I can and that, to the best of my knowledge, the information provided is accurate.**

**6.2 I enclose the fee of £.....**

**Signed .....Date.....**

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**6.3 Send this form and all enclosures to:**

**West Suffolk Council  
West Suffolk House  
Western Way  
Bury St Edmunds  
Suffolk  
IP33 3YU**

**Alternatively you can email the form and enclosures to [planning.helpdesk@westsuffolk.gov.uk](mailto:planning.helpdesk@westsuffolk.gov.uk) along with your credit card details for payment (or contact us by phone if you prefer)**

**6.4 Please also send a copy of this form to the people identified in Section 1 above.**

**Tick the box to show you have done this.**

## **Guidance notes for completing the complaint form: high hedges**

### **General notes**

These guidance notes are to help you fill in the form to make a complaint about a neighbouring high hedge. You should also read the leaflet *'High hedges: complaining to the council'*.

Consideration of your complaint will be delayed if you do not complete the form properly or do not provide the information requested.

### **1. Who's who/The parties**

We need all these names and addresses because there are some documents that we are required, by law, to send to the owner **and** occupier of the land on which the hedge grows. These include our decision on the complaint.

1.2 This is the location of the problem hedge and the person you have talked to when you tried to agree a solution to your hedge problems. We need this information because we will have to get in touch with this person to arrange to visit the property so that we can see for ourselves the effect of the hedge. If the site where the hedge is growing does not have a postal address, describe as clearly as possible where it is, eg 'Land to rear of 12 to 18 High Street' or 'Park adjoining Main Road'.

1.3 Even if someone else is acting on behalf of the complainant, it is important that we have the complainant's contact details. **A person indicated as acting on behalf of the complainant will be our main contact on all matters relating to this complaint.** We will direct all queries and correspondence to them. Please bear this in mind. If you indicate that you wish to be contacted by email, we will conduct all business relating to this complaint in this way. But we cannot send documents to you electronically unless you agree.

1.4 We need this information because we will have to contact these people for their comments, and to arrange to visit the site where the hedge is growing. If you are in any doubt about who owns the property where the hedge is situated, you can check with the Land Registry. The relevant form (313) is on their website ([www.landregistry.gov.uk](http://www.landregistry.gov.uk)) or can be obtained from the Local Office. The current fee for this service is [£4], if you know the full postal address of the property. Alternatively, Land Register Online (at [www.landregisteronline.gov.uk](http://www.landregisteronline.gov.uk)) provides easy access to details of registered properties in England. Copies of title plans and registers held in electronic format can be downloaded in PDF format for [£2] each. The register includes ownership details.

### **2. Attempts to resolve the complaint**

Please keep the descriptions brief but say how you made the approach (eg face to face, phone, letter) and what the result was.

#### ***Example 1***

- 12 March 2005 - phoned to ask if we could discuss hedge. Met on 19 March but we couldn't agree a solution;
- 15 April - mediators visited;
- 29 April - met neighbours and mediators. But still couldn't find an answer we were both happy with;
- 14 May - wrote to inform neighbour would be complaining to council.

#### ***Example 2***

- 12 March 2005 - wrote to ask if we could discuss hedge. 2 weeks later still no reply;
- 9 April - wrote to ask if would speak to mediator. 2 weeks later still no reply;
- 7 May - wrote to inform neighbour would be complaining to council.

#### ***Example 3***

- 12 March 2005 - saw neighbour in their garden and asked if we could discuss hedge. Neighbour came round on 19 March. Saw the effect of the hedge for themselves. Sympathetic but unwilling to reduce the hedge as much as we wanted;
- neighbours willing to try mediation but discovered that neighbour mediation not available in our area. We live too far from the nearest service;
- 23 April - saw neighbour again and told them that, if we couldn't agree a solution, we would make a formal complaint to council. Left it for a couple of weeks then confirmed in writing that we would be going ahead with the complaint.

It is not necessary to send copies of all correspondence with your neighbour about the hedge - especially if the dispute is a long-running one. You need only provide evidence of your latest attempts to settle it.

### **3. Criteria for making a complaint**

#### ***Who can complain***

3.6 You must be the owner **or** occupier of the property affected by a high hedge in order to make a formal complaint to the council. If you do not own the property (eg because you are a tenant or a leaseholder), you can still make a complaint. But you should let the owner (eg landlord or management company) know what you are doing.

3.7 The property does not have to be wholly residential but must include some living accommodation otherwise we cannot consider the complaint.

### **4. Grounds of complaint**

It will help if you provide as much information as you can but keep it factual. Remember that a copy of this form will be sent to the person who owns the site where the hedge is growing, and to the person living there if they are different people. Concentrate on the hedge and the disadvantages you actually experience because it is too tall. We cannot consider problems that are not connected with the height of the hedge. For example, if the roots of the hedge are pushing up a path. Nor can we consider things that are not directly about the hedge in question. For example, that other people keep their hedges trimmed to a lower height; or that the worry is making you ill.

Please also provide a photo of the hedge and a plan showing the location of the hedge and surrounding properties.

When drawing your plan, make sure that you:

- Mark and name surrounding roads.
- Sketch in buildings, including adjoining properties. Add house numbers or names.
- Mark clearly the position of the hedge and how far it extends.

Please include copies of any professional reports that you may have had prepared. If you are complaining about the hedge blocking light, please mark which way is north on your plan and provide relevant measurements (eg size of garden, distance between the hedge and any windows affected). All measurements must be in metres (m).

### **5. Supporting documents**

Please make sure you have ticked all the relevant boxes. If you have ticked the last box, please list these documents by date and title (eg January 2005 - surveyor's report). This will help us to check that we have got everything. If you are submitting this form by email but will be posting supporting documents to us separately, put a reference number or title on them (eg hedge complaint, 12 High Street) so that we can match them up with your complaint.

### **6. Sending the complaint**

You should make your cheque to West Suffolk Council.