

Appendix: Sample forms and letters

This Appendix offers examples of forms and letters for use in dealing with complaints about high hedges. Councils are not required to follow them. Where they do, it must be stressed that Councils should adapt the wording to the individual circumstances of the particular case.

In addition, these letters will need to be adapted if sent by email. Rather than sending copies of leaflets Councils might refer to relevant web addresses. The following are all available on the ODPM website at www.odpm.gov.uk/treesandhedges:

Over the garden hedge

High hedges: complaining to the Council

High hedges: appealing against the Council's decision

The complaint form, and accompanying guidance notes on its completion, should be available on the Council's website.

FIRST CONTACT

To be sent to the enquirer/potential complainant

COMPLAINT ABOUT A HIGH HEDGE

Thank you for your [letter/email/telephone call] of [date] indicating that you wish to make a formal complaint about your neighbour's hedge, under Part 8 of the Anti-social Behaviour Act 2003.

The Council can only intervene once you have tried and exhausted all other avenues for resolving your hedge dispute. I am enclosing a copy of the leaflet *Over the garden hedge* which sets out some steps that you should consider trying.

The Council's role is to act as an independent and impartial adjudicator in those cases which people cannot settle for themselves. We cannot, therefore, negotiate or mediate between you and your neighbour. [But I am sending details of the local community mediation service who might be able to help.]

If you cannot agree a solution with your neighbour, let me know and I will send further information about the procedure for making a formal complaint. You should, however, bear in mind that the Council can reject a complaint if we think someone has not done everything they reasonably could to negotiate a solution to their hedge problems. So if you don't follow the advice in the leaflet, you will need to explain why not.

COMPLAINT FORM: COVER LETTER

To be sent to the complainant

COMPLAINT ABOUT A HIGH HEDGE

Thank you for your [letter/email/telephone call] of [date] indicating that you wish to make a formal complaint about your neighbour's hedge, under Part 8 of the Anti-social Behaviour Act 2003. You said that you had discussed the problem with your neighbour but had been unable to agree a solution.

I enclose our complaints form together with some guidance notes to help you complete it. Before filling it in, I recommend that you read the enclosed leaflet *High hedges: complaining to the Council*. It explains what complaints we can consider and how we will deal with them.

The leaflet also sets out what we expect you to have done to try to settle your hedge dispute. If you have not exhausted all the avenues mentioned, you should consider giving them a try. If you don't, you will need to explain why not. Otherwise, we might not proceed with your complaint.

The complaint form constitutes your statement of case as to why you consider the hedge is adversely affecting the reasonable enjoyment of your domestic property. It will be an important document in the Council's consideration of the complaint, as well as in any subsequent appeal against our decision. In setting out your grounds of complaint, therefore, you should describe fully the problems caused by the hedge, their severity and the impact on you. Please also send us any supporting information that you want us to take into account.

Please return the completed form to me at the above address. You must also send a copy to the owner and occupier of the land where the hedge is situated. [These are the people listed in sections 5.4 and 5.5 of the form.]

When we receive your formal complaint, we will run some checks to make sure that it meets the requirements set out in Part 8 of the Anti-social Behaviour Act 2003 and that we can, therefore, deal with it.

If we cannot proceed with the complaint, we will tell you why not. Otherwise, we will acknowledge that we have received it and explain what happens next.

Complaint form: high hedges

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 sent with it 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 £x.

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

1. Attempts to resolve the 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.

- 1.1 Approached neighbour/hedge owner and asked to discuss problem

- 1.2 Asked neighbour/hedge owner to try mediation

- 1.3 Informed neighbour/hedge owner of intention to complain to Council

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

- 1.4 Anything else

2. Criteria for making a complaint

About the hedge

2.1 Is the hedge – or the portion that is causing problems – made up of a line of 2 or more trees or shrubs?

Yes No

2.2 Is it mostly evergreen or semi-evergreen?

Yes No

2.3 Is it more than 2 metres above ground level?

Yes No

2.4 Even though there are gaps in the foliage or between the trees, is the hedge still capable of obstructing light or views?

Yes No

2.5 Is it growing on land owned by someone else?

Yes No

Who can complain

2.6 Is the complainant the owner or occupier (eg tenant) of the property affected by the hedge?

Yes No

Please delete whichever does not apply.

Owner / Occupier

2.7 Is the property residential?

Yes No

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

3. 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 your case if you stick to the facts and provide all relevant information to back up the points you are making.

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.

4. Previous complaints to the Council

4.1 Has a formal complaint been made to the Council before about this hedge?

Yes

No

4.2 If you have ticked 'Yes', do you know the date and/or reference number of the Council's decision letter?

Date

Ref number

4.3 What has changed since the Council last looked at this?

If nothing has altered, the Council might not proceed with your complaint.

5. Who's who/The parties

5.1 Complainant's contact details

	Title	Forename	Surname
Name	<input type="text"/>	<input type="text"/>	<input type="text"/>
Address	<input type="text"/>		
	<input type="text"/>		
City/Town	<input type="text"/>		
County	<input type="text"/>	Postcode	<input type="text"/>
Daytime Telephone No.	<input type="text"/>		
Mobile Telephone No.	<input type="text"/>		
Fax No.	<input type="text"/>		
Email Address	<input type="text"/>		

Is the complainant content for us to contact them by email, at the address provided?

Yes No

5.2 Address of the property affected by the hedge and name of the person living there, if different to 5.1

	Title	Forename	Surname
Name	<input type="text"/>	<input type="text"/>	<input type="text"/>
Address	<input type="text"/>		
	<input type="text"/>		
City/Town	<input type="text"/>		
County	<input type="text"/>	Postcode	<input type="text"/>
Daytime Telephone No.	<input type="text"/>		
Mobile Telephone No.	<input type="text"/>		
Fax No.	<input type="text"/>		
Email Address	<input type="text"/>		

5.3 Contact details of Agent or other person acting on behalf of the complainant (if any)

	Title	Forename	Surname
Name	<input type="text"/>	<input type="text"/>	<input type="text"/>
Address	<input type="text"/>		
	<input type="text"/>		
City/Town	<input type="text"/>		
County	<input type="text"/>	Postcode	<input type="text"/>
Daytime Telephone No.	<input type="text"/>		
Mobile Telephone No.	<input type="text"/>		
Fax No.	<input type="text"/>		
Email Address	<input type="text"/>		

Is the Agent, or other person named above, content for us to contact them by email at the address provided?

Yes No

5.4 Address of the site where the hedge is growing and name of person living there, if known

	Title	Forename	Surname
Name	<input type="text"/>	<input type="text"/>	<input type="text"/>
Address or description of location	<input type="text"/>		
City/Town	<input type="text"/>		
County	<input type="text"/>	Postcode	<input type="text"/>
Daytime Telephone No.	<input type="text"/>		
Mobile Telephone No.	<input type="text"/>		
Fax No.	<input type="text"/>		
Email Address	<input type="text"/>		

5.5 Name and address of the person who owns the property where the hedge is situated, if different to 5.4 and if known

	Title	Forename	Surname
Name	<input type="text"/>	<input type="text"/>	<input type="text"/>
Address	<input type="text"/>		
	<input type="text"/>		
City/Town	<input type="text"/>		
County	<input type="text"/>	Postcode	<input type="text"/>
Daytime Telephone No.	<input type="text"/>		
Mobile Telephone No.	<input type="text"/>		
Fax No.	<input type="text"/>		
Email Address	<input type="text"/>		

6. Supporting documents

6.1 Have you enclosed the following:

	Tick box
A photo of the hedge	<input type="checkbox"/>
A location plan of the hedge and surrounding properties	<input type="checkbox"/>
Copies of correspondence with your neighbour about the hedge	<input type="checkbox"/>
Copies of any other documents that you mention <i>(please list these separately)</i>	<input type="checkbox"/>

7. Sending the complaint

7.1 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.

Tick box

7.2 I enclose the fee of £x.

Tick box

Name Date

7.3 POST OR EMAIL THIS FORM AND ALL ENCLOSURES TO:

Council to insert name and address of contact. Include an email address.

7.4 Please also send a copy of this form to the people identified in Section 5 above.

Tick the box to show you have done this

You can also download this complaint form from our website at [\[insert\]](#)

GUIDANCE NOTES FOR COMPLETING THE COMPLAINT FORM

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.

If you are still unsure how to answer any of the questions, please contact [x department] on [y telephone number] or [z email address].

You can obtain translations and large print versions of this guidance and the form through the council.

Section 1: 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 neighbour [Mr Bloggs of 12 High Street] 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 [Mr Bloggs] and mediators. But still couldn't find an answer we were both happy with;
- on 14 May – wrote to inform neighbours [Mr Bloggs] would be complaining to council.

Example 2

- 12 March 2005 – wrote to neighbours [Mr Bloggs of 12 High Street] to ask if we could discuss hedge. 2 weeks later still no reply;
- 9 April – wrote to ask if he would speak to mediator. 2 weeks later still no reply;
- 7 May – wrote to inform neighbours [Mr Bloggs] would be complaining to council.

Example 3

- 12 March 2005 – saw neighbours [Mr Bloggs of 12 High Street] in their garden and asked if we could discuss hedge. Neighbours [Mr Bloggs] 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 [Mr Bloggs] 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 neighbours [Mr Bloggs] 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.

Section 2: Criteria for making a complaint

Who can complain

Q2.6 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.

Q2.7 The property does not have to be wholly residential but must include separate living accommodation otherwise we cannot consider the complaint.

Section 3: 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 property where the hedge is growing, and to the person who lives there if they are different people.

Concentrate on the hedge and the disadvantages you experience because of its height.

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, please look at the example below and 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.

If you are complaining about the hedge blocking light, please also show on your plan:

- Which way is north.
- The position of windows that are affected by the hedge (eg whether they are located on the front, side or rear of the house).
- Relevant measurements (eg size of garden, distance between the hedge and any windows affected).

All measurements must be in metres (m).

[Insert example of typical plan]

Please include copies of any professional reports that you may have had prepared and of any other documents that you want the Council to take into account.

Section 4: Previous complaints to the council

We only need to know about formal complaints, made under the high hedges Part of the Anti-social Behaviour Act 2003. You don't need to tell us about telephone calls or other informal contact with the Council about your hedge problems.

Section 5: 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.

Q5.1 Even if someone else is submitting the complaint on your behalf, it is important that we have your contact details.

Tick the 'Yes' box if you prefer to be contacted by e-mail. We cannot send documents to you electronically unless you agree.

Q5.2 You need to complete this section only if the complainant does not live in the property affected by the hedge. We need this information because we will have to get in touch with the occupier to arrange to visit the property so that we can see for ourselves the effect of the hedge.

Q5.3 Complete this section if you are a professional adviser, relative, friend or other representative.

You will be our main contact on all matters relating to this complaint. We will direct all queries and correspondence to you. Please bear this in mind.

If you tick the 'Yes' box, we will conduct all business relating to this complaint by e-mail. But we cannot send documents to you electronically unless you agree.

Q5.4 This will normally be the person you have talked to when you tried to agree a solution to your hedge problems.

If the site where the hedge is growing does not have a postal address, use the box to describe as clearly as possible where it is, eg 'Land to rear of 12 to 18 High Street' or 'Park adjoining Tower Road'.

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.

Q5.5 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) 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) 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.

Section 6: 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, Joe Bloggs, 12 High Street) so that we can match them up with your complaint.

Section 7: Sending the complaint

If you have to pay a fee, you should make out your cheque to [\[insert name\]](#) Council.

COMPLAINT REJECTION: INVALID COMPLAINT

To be sent to the complainant

COMPLAINT ABOUT A HIGH HEDGE SITUATED AT [ADDRESS]

REFERENCE NUMBER [XXX]

I refer to your complaint of [date] about the high hedge situated at [address].

I am sorry to tell you that, under the terms of Part 8 of the Anti-social Behaviour Act 2003, the Council is unable to deal with your complaint and so will be taking no further action on it.

The reasons for our decision are as follows:

[EXPLAIN WHY THE REQUIREMENTS OF THE ACT ARE NOT MET – FOR EXAMPLE:

- *your complaint is about a single tree. Under the Act, we can deal only with complaints about hedges that are made up of a line of 2 or more trees or shrubs;*
- *your complaint is about [species of tree or shrub] which are deciduous. Under the Act, we can deal only with complaints about hedges that are predominantly evergreen or semi-evergreen;*
- *your grounds of complaint are about the effect of the roots of the hedge. The Act states specifically that the Council cannot deal with such matters. We can only consider complaints related to the height of the hedge.]*

I am returning the fee that accompanied your complaint.

If you would like further information about our decision, please contact [name and contact details of case officer], quoting the reference number given above.

There is no specific right of appeal if you disagree with our decision. But if you consider the Council has not applied the legislation properly or has treated you unfairly, you should write to the Council's complaints officer [name and contact details]. Alternatively, you may apply to the High Court to challenge the decision by judicial review. If you are considering applying for judicial review, you are advised to seek specialist legal help. Community Legal Service (CLS) [insert local contact details] can help you to find the right legal advice.

COMPLAINT REJECTION: INSUFFICIENT EFFORTS TO RESOLVE BY NEGOTIATION

To be sent to the complainant

COMPLAINT ABOUT A HIGH HEDGE SITUATED AT [ADDRESS]

REFERENCE NUMBER [XXX]

I refer to your complaint of [date] about the high hedge situated at [address].

We have considered your complaint but have decided that we cannot take any further action on it for the following reasons:

[SET OUT REASONS – FOR EXAMPLE, *you have not taken all reasonable steps to resolve the matter for yourselves.*]

In particular, the Council consider that you should [SET OUT WHAT STEPS THEY SHOULD TAKE TO TRY TO SETTLE THE DISPUTE – FOR EXAMPLE:

- *make a fresh approach to your neighbour as it is over [x] months since you last raised the issue with them;*
- *write to your neighbour if you are nervous about speaking to them. It is not enough to say that they are unapproachable;*
- *ask your neighbour to consider talking to independent mediators.]*

Further advice on settling your hedge dispute is in the enclosed leaflet *Over the garden hedge*. [I am also sending details of the local Community Mediation Service who can help you and your neighbour find a way forward.]

[INSERT COUNCIL POLICY ON FEES. FOR EXAMPLE, *it is the Council's policy not to refund fees in these circumstances. OR If these further steps lead to an agreed solution with your neighbour, you should write to us to reclaim your fee.*]

If, despite taking these further steps, you still cannot agree a solution with your neighbour, let me know. I will then advise you whether we can re-activate this complaint or whether you will need to submit a fresh one [with the relevant fee].

If you would like further information about our decision, please contact [name and contact details of case officer], quoting the reference number given above.

There is no specific right of appeal if you disagree with our decision. But if you consider the Council has not applied the legislation properly or has treated you unfairly, you should write to the Council's complaints officer [name and contact details]. Alternatively, you may apply to the High Court to challenge the decision by judicial review. If you are considering applying for judicial review, you are advised to seek specialist legal help. Community Legal Service (CLS) [insert local contact details] can help you to find the right legal advice.

COMPLAINT REJECTION: FRIVOLOUS OR VEXATIOUS

To be sent to the complainant

COMPLAINT ABOUT A HIGH HEDGE SITUATED AT [ADDRESS]

REFERENCE NUMBER [XXX]

I refer to your complaint of [date] about the high hedge situated at [address].

We have considered your complaint but have decided that we cannot take any further action on it for the following reasons:

[SET OUT REASONS – FOR EXAMPLE, *the complaint is considered frivolous/vexatious.*]

[EXPLAIN REASONS – FOR EXAMPLE, *you previously complained about the hedge on [date] and were notified on [date] that the Council had decided that the hedge was not adversely affecting your reasonable enjoyment of your property. [This decision was upheld following an appeal to the Planning Inspectorate.] Your latest complaint indicates there has, subsequently, been no significant change in circumstances which would affect the Council's earlier decision.*]

If you would like further information about our decision, please contact [name and contact details of case officer], quoting the reference number given above.

There is no specific right of appeal if you disagree with our decision. But if you consider the Council has not applied the legislation properly or has treated you unfairly, you should write to the Council's complaints officer [name and contact details]. Alternatively, you may apply to the High Court to challenge the decision by judicial review. If you are considering applying for judicial review, you are advised to seek specialist legal help. Community Legal Service (CLS) [insert local contact details] can help you to find the right legal advice.

ACKNOWLEDGEMENT OF COMPLAINT

To be sent to the complainant

COMPLAINT ABOUT A HIGH HEDGE SITUATED AT [ADDRESS]

REFERENCE NUMBER [XXX]

I acknowledge receipt of your complaint about a neighbouring high hedge, made under Part 8 of the Anti-social Behaviour Act 2003. We received your complaint and fee of £[amount] on [date].

Your complaint has been given the reference number: [insert].

It is being dealt with by [name, address and other contact details of the case officer].

Please contact this officer, quoting the reference number given above, if you have any questions about your complaint or our procedures. In particular, please let us know immediately of any relevant change in your circumstances. For example, if you cease to own or occupy the property affected by the hedge. Or if your neighbour agrees to reduce the hedge to a height that solves the problem.

We are satisfied, from the information you have provided, that your complaint meets the requirements set out in Part 8 of the Anti-social Behaviour Act 2003 and so is one that we can deal with.

We will be writing to the owner and occupier of the land where the hedge is situated to notify them that the Council are considering a complaint about their hedge. We will also invite them to comment on the points you have raised in your complaint and to provide any further information that they want us to take into account.

[SET OUT ANY ARRANGEMENTS FOR CONSULTING OTHER INTERESTED PARTIES. FOR EXAMPLE:

We will also be seeking the views of the occupiers of the properties at [addresses]. As the hedge in question also neighbours these properties, they could potentially be affected by the Council's decision on your complaint.

OR

As the trees in the hedge are protected under the Town and Country Planning Act 1990, it is the Council's policy to write to the Parish Council and local residents asking for their comments on your complaint.]

We will send you copies of all the comments that we receive so that you know what information and views we will be considering as we make a decision on your complaint.

When we have gathered all the written information and evidence, we will be in touch again to arrange a suitable date for an officer of the Council to visit the site. The purpose of the visit is to enable the officer to see the hedge and surroundings at first hand, to help us assess the comments that you and others have provided. The officer is not there to negotiate or mediate between you and your neighbour.

You will probably need to attend the visit as the officer will need to gain entry to your property. But please bear in mind that, although the Council officer might wish to ask questions to clarify factual points, they will not be able to discuss the merits of the case with either party. We will also be contacting the owner or occupier of the land where the hedge is situated so that the officer can view both sides of the hedge.

Under the Act, the Council is required to decide two things:

- whether the hedge, because of its height, is adversely affecting your reasonable enjoyment of your property; and
- if so, what action (if any) should be taken to remedy the situation or prevent it from recurring.

In reaching their decision, the Council will take account of all relevant factors and will seek to strike a balance between the competing interests of you and your neighbour, as well as the interests of the wider community.

We aim to issue a decision on your complaint within [number] weeks from the date of the site visit. We will send a copy of our decision, and the reasons for it, to you, [your agent,] the owner and occupier of the land where the hedge is situated [and anyone else who sends us comments on your complaint].

NOTIFICATION OF COMPLAINT: OCCUPIER OF THE LAND WHERE THE HEDGE IS SITUATED

To be sent to the occupier of the property where the hedge is situated

COMPLAINT ABOUT A HIGH HEDGE SITUATED AT [ADDRESS]

REFERENCE NUMBER [XXX]

We have received the enclosed complaint, made under Part 8 of the Anti-social Behaviour Act 2003, that a hedge on your property is adversely affecting your neighbour at [address]. I understand your neighbour has discussed this with you previously but you have been unable to agree a solution.

I also enclose a copy of the leaflet *High hedges: complaining to the Council* which explains how the Council deals with such complaints.

The complaint has been given the reference number: [insert].

It is being dealt with by [name, address and other contact details of the case officer].

Please contact this officer, quoting the reference number given above, if you have any questions about the complaint or our procedures. In particular, please let us know immediately of any change in your circumstances. For example, if you cease to [own or] occupy the property where the hedge is situated. Or if you agree to reduce the hedge to a height that solves the problem.

To help us consider this complaint further, please complete the enclosed questionnaire and return it to me by [date]. You are also invited to send us any comments you might have on the points raised in the complaint and to provide any further information that you want us to take into account. This should reach us no later than [date].

You should send a copy of the questionnaire and other papers to the person who has made the complaint [and to the owner of your property], at the same time as you submit them to the Council. You might wish to bear this in mind in framing your comments. The complainant's name and address are on the complaints form. Please send us confirmation that you have done this.

[SET OUT ANY ARRANGEMENTS FOR CONSULTING OTHER INTERESTED PARTIES. FOR EXAMPLE:

We will also be seeking the views of the occupiers of the properties at [addresses]. As the hedge in question also neighbours these properties, they could potentially be affected by the Council's decision on your complaint.

OR

As the trees in the hedge are protected under the Town and Country Planning Act 1990, it is the Council's policy to write to the Parish Council and local residents asking for their comments on your complaint.

We will send you copies of all the comments that we receive so that you know what information and views we will be considering as we make a decision on the complaint.]

When we have gathered all the written information and evidence, we will be in touch again to arrange a suitable date for an officer of the Council to visit the site. The purpose of the visit is to enable the officer to see the hedge and surroundings at first hand, to help us assess the comments that you and [your neighbour/others] have provided. The officer is not there to negotiate or mediate between you and your neighbour.

You will probably need to attend the visit as the officer will need to gain entry to your property. But please bear in mind that, although the Council officer might wish to ask questions to clarify factual points, they will not be able to discuss the merits of the case with either party. We will also be contacting the complainant so that the officer can view both sides of the hedge.

Under the Act, the Council is required to decide two things:

- whether the hedge, because of its height, is adversely affecting the complainant's reasonable enjoyment of their property; and
- if so, what action (if any) should be taken to remedy the situation or prevent it from recurring.

In reaching their decision, the Council will take account of all relevant factors and will seek to strike a balance between the competing interests of you and your neighbour, as well as the interests of the wider community.

We aim to issue a decision on the complaint within [number] weeks from the date of the site visit. We will send a copy of our decision, and the reasons for it, to you, [the owner of your property,] the complainant [and anyone else who sends us comments on the complaint].

QUESTIONNAIRE: TO BE COMPLETED BY THE OCCUPIER OF THE LAND WHERE THE HEDGE IS SITUATED

COMPLAINT ABOUT A HIGH HEDGE SITUATED AT [ADDRESS]

1. Your name and contact details

Name:
 Telephone No. (daytime):
 Email address:
 Do you prefer to be contacted by email?

2. Contact details for the owner of the property (if different)

Name:
 Address:
 Telephone No. (daytime):
 Email address:

3. Legal restrictions

As far as you know:

- Was the hedge planted under a condition attached to a planning permission?
- Does a condition attached to a planning permission specify that the hedge must be retained?
 - If you have answered YES to either of the above questions, what year was the permission given?
 - Please supply a copy.
- Is there a legal covenant that stipulates the size or type of hedge that can be grown (this will usually be spelt out in the deeds to the property)?
 - If you have answered YES, what are the terms of the covenant?
 - What year was it introduced?
 - Please supply a copy.
- Is the property a listed building?
- Is it located within a conservation area?
- Are any trees in the hedge protected by a tree preservation order?
- Have you seen any birds or bats nesting or roosting in the hedge?

4. Representations

Please delete as appropriate

I shall/shall not be sending comments on the complaint, or other information that I want the Council to take into account.

NOTIFICATION OF COMPLAINT: OWNER OF THE LAND WHERE THE HEDGE IS SITUATED (if different to the occupier)

To be sent to the owner of the property where the hedge is situated. This letter should be issued as soon as the relevant contact details are provided to the Council – either on the complaint form or the occupier's questionnaire.

COMPLAINT ABOUT A HIGH HEDGE SITUATED AT [ADDRESS]

REFERENCE NUMBER [XXX]

I enclose a copy of a letter sent to [name and address of the occupier of the land where the hedge is situated] notifying them that the Council has received a complaint about a hedge on the property.

I understand that you own the land in question and so have an interest in this matter.

To help us consider this complaint further, you are invited to send us any comments you might have on the points raised in the complaint and to provide any further information that you want us to take into account. This should reach us no later than [date]. [Please also let us have answers to any items of the questionnaire that the occupier of the property has been unable to deal with.]

You should send a copy of these papers to the person who has made the complaint and to the occupier of your property, at the same time as you submit them to the Council. You might wish to bear this in mind in framing your comments. The complainant's name and address is on the complaints form. Please send us confirmation that you have done this.

We will send you a copy of our decision, and the reasons for it, in due course.

DECISION LETTER: NO REMEDIAL ACTION (illustrates short decision letter for use where case report is appended to the decision)

To be sent to the complainant and every owner and occupier of the land where the hedge is situated

COMPLAINT ABOUT A HIGH HEDGE SITUATED AT [ADDRESS]

REFERENCE NUMBER [XXX]

I refer to the complaint, made under Part 8 of the Anti-social Behaviour Act 2003, about the high hedge situated at [site address/description]. The complaint alleged that the hedge is adversely affecting the enjoyment of the domestic property at [address]. In particular, it was alleged that the hedge [summarise main grounds of complaint].

The Council have taken into account:

- representations and other information submitted by the complainant and by the [owner/occupier] of the land where the hedge is situated;
- [representations received from [number] other interested parties;]
- the contribution that the hedge makes to the character and amenity of the area. [We have paid special attention to the fact that the hedge is situated in a conservation area/the trees in the hedge are protected by a tree preservation order.]

An officer of the Council visited the site on [date].

Main Considerations and Conclusion

I enclose a copy of the case report which summarises the representations and other information before the Council and explains how we have assessed and weighed the various issues raised by the complaint.

The Council's role in these cases is to seek to strike a balance between the competing rights of neighbours to enjoy their respective properties and the rights of the community in general, and thereby to formulate a proportionate response to the complaint.

As the report indicates, the main considerations in this case are whether the problems complained of are sufficiently serious to justify action being taken in relation to the hedge, bearing in mind the effect such action would have on the property where the hedge is situated and on the wider area. [DEAL CONCISELY WITH THE MAIN ISSUES. THESE WILL NORMALLY RELATE TO THE DEGREE OF HARM CAUSED BY THE HEDGE AND WHETHER THIS IS OUTWEIGHED BY ITS AMENITY VALUE TO BOTH THE HEDGE OWNER AND THE WIDER COMMUNITY. FOR EXAMPLE:

The report notes that the hedge is obstructing light to some windows in the complainant's property. The impact, at present, is not severe and would be remedied by the hedge being lightly trimmed. Other problems identified, such as litter from the hedge, are considered to be inconvenient and of little significance. On the other hand, the hedges defining the separation between the dwellings in this street are a characteristic feature of the conservation area. If the size of the hedge were to be reduced, it would have an adverse effect on the appearance of the neighbourhood and on the amenity of other residents. On balance, the Council believe that the harm caused by the hedge is outweighed by other factors and that no remedial action is justified.]

Formal Decision

For the reasons given [above/in the case report], the Council have decided that [the height of the hedge in question is not adversely affecting the complainant's reasonable enjoyment of their property/no action should be taken in relation to the hedge to remedy its adverse effect or to prevent its recurrence].

If you would like further information about our decision, please contact [name and contact details of case officer], quoting the reference number given above.

Right of Appeal

The complainant, [name], can appeal to the Planning Inspectorate against the Council's decision. Further information is in the leaflet *High hedges: appealing against the Council's decision*, a copy of which is enclosed. An appeal must be submitted to the Planning Inspectorate, on their official form, within 28 days from the date of this letter. The form is available on the Planning Inspectorate website at www.planning-inspectorate.gov.uk or from:

High Hedges Appeals Team
Planning Inspectorate
Regus House
Room 2/15
1 Friary
Temple Quay
Bristol BS1 6EA
Telephone: 0117 344 5687.

The complainant can appeal on either of the following grounds:

- that, contrary to the decision of the Council, the hedge in question is adversely affecting the complainant's reasonable enjoyment of their property; and/or
- that the adverse effect warrants action being taken in relation to the hedge.

Advice

[OFFER PRACTICAL ADVICE ON HOW THE HEDGE MIGHT BE MANAGED SO THAT IT DOES NOT CAUSE PROBLEMS IN THE FUTURE. FOR EXAMPLE:

It is recommended that the hedge is trimmed annually to maintain it at, or around, its current height of [4] metres, in order to preserve the contribution it makes to the character of the conservation area and prevent any adverse effect on the reasonable enjoyment of the complainant's property.]

I am sending this letter to the complainant and the owner and occupier of the land where the hedge is situated. [Copies also go to other interested parties who commented on the complaint].

DECISION LETTER: REMEDIAL ACTION (illustrates longer decision letter for use where there is no separate case report)

To be sent to the complainant and every owner and occupier of the land where the hedge is situated

COMPLAINT ABOUT A HIGH HEDGE SITUATED AT [ADDRESS]

REFERENCE NUMBER [XXX]

I refer to the complaint, made under Part 8 of the Anti-social Behaviour Act 2003, about the high hedge situated at [site address/description]. The complaint alleged that the hedge is adversely affecting the enjoyment of the domestic property at [address].

The Council gathered evidence and information in relation to the complaint by inviting the [owner/occupier] of the land where the hedge is situated to submit a statement [and by consulting selected organisations that appeared to the Council to have an interest in the matter]. In addition, an officer of the Council visited the site on [date].

This letter summarises the evidence and information gathered by the Council and explains how we have assessed and weighed the various issues raised by the complaint.

The Hedge and its Surroundings

[BRIEF DESCRIPTION OF THE HEDGE AND ITS SETTING. INCLUDE THE HEIGHT AND LENGTH OF THE HEDGE AND GENERAL SPECIES CONTENT; ASSESSMENT OF ITS GROWTH HABIT AND CONDITION (EG GAPS); EVIDENCE (IF ANY) OF PAST MANAGEMENT; ITS POSITION IN RELATION TO THE COMPLAINANT'S PROPERTY, WITH RELEVANT MEASUREMENTS, AND IN RELATION TO OTHER FEATURES ON THE LAND WHERE IT IS GROWING (EG THE HEDGE OWNER'S HOUSE). OTHER RELEVANT FACTORS MIGHT INCLUDE ORIENTATION, SIZE OF GARDENS, ANY DIFFERENCES IN LEVELS BETWEEN THE TWO PROPERTIES, OTHER TREES AND VEGETATION. IN ADDITION, DESCRIBE THE GENERAL CHARACTER OF THE AREA AND ANY SPECIAL FEATURES (EG CONSERVATION AREA).]

Relevant Policies or Legislation

[DRAW ATTENTION TO ANY POLICIES, OR LEGAL RESTRICTIONS, THAT APPLY AND COULD BE MATERIAL TO THE COUNCIL'S CONSIDERATION OF THE COMPLAINT. THESE PROVIDE EVIDENCE OF THE COMMUNITY/PUBLIC INTEREST IN THE MATTER. THEY MIGHT INCLUDE LOCAL LANDSCAPE CHARACTER ASSESSMENTS, PLANNING POLICIES, EXISTENCE OF A TREE PRESERVATION ORDER OR A PLANNING CONDITION.]

Case for the Complainant

[SUMMARISE THE MATERIAL POINTS FROM THE COMPLAINT FORM AND OTHER INFORMATION SUBMITTED. FOR EXAMPLE:

The hedge is too large in view of its proximity to the small bungalow at [address] and the limited extent of the rear gardens. The dense shade it casts makes it necessary to use artificial lights within the bungalow during the daytime throughout the year. The hedge also blocks out the sky and creates a depressing living environment. In the garden, it suppresses plant growth. It also sheds copious amounts of needles throughout the year which create hazardous conditions if not cleared continually.]

Case for the Owner/Occupier of the Land where the Hedge is Situated

[SUMMARISE THE MATERIAL POINTS FROM THE STATEMENT AND OTHER INFORMATION SUBMITTED.
FOR EXAMPLE:

If the hedge were reduced to the height that the complainant wants, it would affect the privacy enjoyed by the occupiers of [address] and would probably kill the hedge. It helps to stop noise and smoke from the complainant's barbecue parties. An offer was made to the complainant allowing them to trim the hedge at their expense. The cost involved in reducing the size of the hedge is beyond the means of the occupiers of [address].]

Case for Other Interested Parties/Results of Consultation

[STATE THE NATURE OF ANY REPRESENTATIONS RECEIVED AND SUMMARISE THE MATERIAL POINTS.
FOR EXAMPLE:

The Council received a petition signed by 10 residents of [name of street/address]. They supported the complainant's case but, as their properties do not neighbour the land where the hedge is situated, none experience problems with it.]

Main Considerations

[SET OUT THE ROLE OF THE COUNCIL AND THE MAIN ISSUES TO BE CONSIDERED. FOR EXAMPLE:

The Council's role in these cases is to seek to strike a balance between the competing rights of neighbours to enjoy their respective properties and the rights of the community in general, and thereby to formulate a proportionate response to the complaint.

The main considerations in this case are whether the problems complained of are sufficiently serious to justify action being taken in relation to the hedge, bearing in mind the effect such action would have on the property where the hedge is situated and on the wider area.]

Appraisal of the Evidence

[DRAWING ON THE ADVICE IN CHAPTER 5: *ASSESSING AND WEIGHING THE EVIDENCE*, ASSESS THE HARM CAUSED BY THE HEDGE WITH SPECIFIC REFERENCE TO THE MATERIAL POINTS IN THE COMPLAINANT'S CASE. WEIGH AGAINST THIS THE AMENITY VALUE OF THE HEDGE TO THE HEDGE OWNER AND THE WIDER COMMUNITY, WITH SPECIFIC REFERENCE TO THE MATERIAL POINTS IDENTIFIED IN THE EARLIER SECTIONS.
FOR EXAMPLE:

Light obstruction

The Council followed the method in the BRE guidelines on 'Hedge height and light loss' for calculating what height a hedge should be in order not to cause an unreasonable obstruction of light to windows and gardens. The results showed that the hedge in question is 3 metres taller than the recommended height. This indicates it is having a significant impact on the complainant's property. This was reinforced by observations during the site visit. This was made at 11:00 am. At that time, the rear windows of the bungalow and a substantial portion of the garden were in dense shade cast by the hedge.

Visual amenity

The complainant's property is in a terrace of small bungalows with very limited rear gardens. There are few trees in the area. The hedge is out of keeping with this setting. Through its size and proximity to the complainant's bungalow and garden, the hedge dominates the scene and has a severe effect on the complainant's living conditions.

Plant growth, litter

Although many plants in the complainant's garden were straggly and in poor condition, it was impossible to assess whether this was due to the height of the hedge. The roots of it and other vegetation could dry out the soil. Under the high hedges legislation, the Council cannot take into account the effects of the roots of a hedge. In addition, the problem might be remedied by using alternative plants that are more suited to the prevailing conditions. During the site visit, there was little tree debris noted in the complainant's garden. Most came from other vegetation and the volume was sufficient to fill a single bag. This might be an inconvenience but, on its own, has no appreciable effect on the complainant's enjoyment of their property.

Privacy

There is no difference in level between the land where the hedge is situated and the complainant's property. Although reduction of the height of the hedge would mean less privacy for the property with the hedge than they now enjoy, a height of 2 metres would be enough to prevent overlooking and so provide a reasonable degree of privacy.

Noise, smoke

Although the perception might be that the hedge blocks noise and smoke, in practice it is ineffective as a barrier against such nuisances. Both noise and smoke will pass through or round a hedge. These are not, therefore good reasons for growing a large hedge.

Cost of remedial action

The Council note that cutting down the hedge is considered unaffordable. This is not, however, material to the question that the Council must determine – ie whether the hedge is adversely affecting the reasonable enjoyment of the complainant's property – and so has not been taken into account. Such expenses must be expected and accepted as part of the general maintenance of the property, with its trees, in the same way as maintenance of doors and windows and household wear and tear.

Health of the hedge

The hedge is vigorous and healthy. However, cutting the hedge down to the height recommended by the BRE guidelines on 'Hedge height and light loss' would involve a reduction of more than one-third of its current height. This could result in the destruction of the hedge and might restrict any action to be taken in relation to the hedge.]

Conclusion

[SUMMARISE THE MATERIAL POINTS EMERGING FROM THE APPRAISAL. FOR EXAMPLE:

The hedge is causing significant obstruction of daylight and sunlight to the complainant's bungalow. It is out of keeping with its setting and dominates the complainant's property, severely affecting living conditions and visual amenity. Other problems identified, such as litter from the hedge, are considered to be inconvenient and of little significance. Evidence suggests that the height of the hedge would need to be reduced by 4 metres in order to remedy the problems identified. The resulting height would be sufficient to safeguard the privacy of the occupiers of [address] and would not, in the Council's view, adversely affect the enjoyment of that property or the general character and amenity of the neighbourhood. On balance, the Council believe that the harm caused by the hedge outweighs other factors and that remedial action is justified.

Such action would, however, involve a reduction of more than one-third of its current height, affecting the ability of the hedge to regenerate and possibly leading to its destruction. For this reason, the Council considers the reduction of the hedge should be carried out in stages over a period of years/less drastic reduction of the hedge is justified.]

Formal Decision

For the reasons given [above/in the case report], the Council have decided that the height of the hedge in question is adversely affecting the complainant's reasonable enjoyment of their property and hereby issue the enclosed remedial notice specifying the action that must be taken in relation to the hedge to remedy its adverse effect [and to prevent its recurrence].

Summary of Requirements of Remedial Notice

[SUMMARISE, IN PLAIN LANGUAGE, THE MAIN REQUIREMENTS OF THE REMEDIAL NOTICE SO THAT IT IS CLEAR WHAT ACTION NEEDS TO BE TAKEN. FOR EXAMPLE:

The remedial notice specifies that the hedge should be reduced [in stages] to a height of no more than [3] metres above ground level within [2] years of the date of the notice – that is by [date]. Reduction to this height allows the hedge to grow between annual or more frequent trimming and still not cause significant problems.

After the above date, the hedge should be trimmed regularly to ensure that it never exceeds a height of [4] metres above ground level. The requirement to maintain the hedge at, or below, this height lasts until the hedge is removed or dies.]

Person Responsible for Taking Remedial Action

Under the Act, the owner or occupier of [address of the land where the hedge is situated] is obliged to carry out the works specified in the remedial notice, within any timescale set there. Failure to do so, may result in prosecution and a fine.

The remedial notice does not give the complainant any right to intervene and take the necessary action themselves.

Right of Appeal

The complainant and everyone who is an owner or occupier of the land where the hedge is situated, that is [names], can appeal to the Planning Inspectorate against the issue of the remedial notice. Further information is in the leaflet *High hedges: appealing against the Council's decision*, a copy of which is enclosed. An appeal must be submitted to the Planning Inspectorate, on their official form, within 28 days from the date of this letter. The form is available on the Planning Inspectorate website at www.planning-inspectorate.gov.uk or from:

High Hedges Appeals Team
Planning Inspectorate
Regus House
Room 2/15
1 Friary
Temple Quay
Bristol BS1 6EA
Telephone: 0117 344 5687.

An appeal can be made on any one or more of the following grounds:

- that the action specified in the remedial notice falls short of what is needed to remedy the adverse effect of the hedge or to prevent it recurring;
- that, contrary to the decision of the Council, the hedge in question is not adversely affecting the complainant's reasonable enjoyment of their property;

- that the action specified in the remedial notice exceeds what is reasonably necessary or appropriate to remedy the adverse effect of the hedge or to prevent it recurring;
- that not enough time has been allowed to carry out the works set out in the notice.

The remedial notice will be suspended while any appeal is being determined.

If you would like further information about our decision, please contact [name and contact details of case officer], quoting the reference number given above.

I am sending this letter to the complainant and the owner and occupier of the land where the hedge is situated. [Copies also go to other interested parties who commented on the complaint].

REMEDIAL NOTICE

To be sent to the complainant and every owner and occupier of the land where the hedge is situated

IMPORTANT – THIS NOTICE AFFECTS THE PROPERTY AT [ADDRESS OF THE LAND WHERE THE HEDGE IS SITUATED]

ANTI-SOCIAL BEHAVIOUR ACT 2003

REMEDIAL NOTICE

ISSUED BY: [Council name]

1. THE NOTICE

This Notice is issued by the Council under section 69 of the Anti-social Behaviour Act 2003 pursuant to a complaint about a high hedge situated at [address]. The Council has decided that the hedge in question is adversely affecting the reasonable enjoyment of the property at [complainant's address] and that action should be taken in relation to the hedge with a view to remedying the adverse effect [and preventing its recurrence].

2. THE HEDGE TO WHICH THE NOTICE RELATES

[THIS WILL NORMALLY BE THE HEDGE, OR PART OF IT, THAT MEETS THE LEGAL DEFINITION AND IS THE SUBJECT OF THE COMPLAINT.]

The hedge [in the rear garden] at [address] and marked red on the attached plan. [COMPLAINT RELATES TO WHOLE HEDGE]

OR

The portion of hedge [in the rear garden] at [address] marked red on the attached plan. The portion is [10] metres in length, measured from the end of the hedge that is closest to the house at this address. This point is marked X on the plan. [COMPLAINT RELATES TO PART OF A LONGER HEDGE, THE REST OF WHICH IS NOT A HIGH HEDGE]

AND

The [portion of] hedge is formed predominantly of [name eg cypress] trees [and shrubs].

3. WHAT ACTION MUST BE TAKEN IN RELATION TO THE HEDGE

Initial Action

The Council requires the following steps to be taken in relation to the hedge before the end of the period specified in paragraph 4 below: [SPECIFY THE ACTION NECESSARY TO REMEDY THE PROBLEMS CAUSED BY THE HEDGE, PLUS A GROWING MARGIN TO FORESTALL FURTHER PROBLEMS IN THE SHORT TERM. FOR EXAMPLE:

(i) reduce the hedge to a height not exceeding [3] metres above ground level.]

Preventative Action

Following the end of the period specified in paragraph 4 below, the Council requires the following steps to be taken in relation to the hedge: [SPECIFY THE LONG-TERM MANAGEMENT OF THE HEDGE NECESSARY TO PREVENT PROBLEMS RECURRING. FOR EXAMPLE:

(i) maintain the hedge so that at no time does it exceed a height of [4] metres above ground level.]

Informative

[OFFER PRACTICAL ADVICE ON IMPLEMENTING THE REQUIREMENTS IN THE NOTICE. FOR EXAMPLE:

It is recommended that the hedge is cut back annually to a height of [3] metres. This allows room for the hedge to re-grow between annual trimmings and still not exceed a height of [4] metres.

As set out above, the hedge should be reduced in stages. Please contact the Council to discuss and agree a suitable timetable for these works.

All works should be carried out in accordance with good arboricultural practice/BS 3998: 'Recommendations for Tree Work'.

It is recommended that skilled contractors are employed to carry out this specialist work. For a list of approved contractors to carry out works on trees and hedges, see the Arboricultural Association's website at www.trees.org.uk.

In taking the action specified in this Notice, special care should be taken not to disturb wild animals that are protected by the Wildlife and Countryside Act 1981. This includes birds and bats that nest or roost in trees.]

4. TIME FOR COMPLIANCE

The initial action [steps (x) to (y)] specified in paragraph 3 above to be complied with in full within [8] months of the date specified in paragraph 5 of this Notice.

[NOTE: SPECIFY A "PERIOD" OF TIME; UNDER THE ACT, THE NOTICE CANNOT FIX A DATE FOR COMPLETION.]

5. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on [SPECIFY DATE, NOT LESS THAN 28 DAYS AFTER THE DATE OF ISSUE].

6. FAILURE TO COMPLY WITH THE NOTICE

Failure by any person who, at the relevant time, is an owner or occupier of the land where the [portion of] hedge specified in paragraph 2 above is situated:

- a. to take action in accordance with steps [(x) to (y) – the initial action] specified in paragraph 3 above within the period specified in paragraph 4; or
- b. to take action in accordance with steps [(c) to (d) – preventative action] specified in paragraph 3 above by any time stated there;

may result in prosecution in the Magistrates Court with a fine of up to £1,000. The Council also has power, in these circumstances, to enter the land where the hedge is situated and carry

out the specified works. The Council may use these powers whether or not a prosecution is brought. The costs of such works will be recovered from the owner or occupier of the land.

Dated:

Signed: [Council's authorised officer] on behalf of

[Council's name and address]

REMEDIAL NOTICE: SPECIFYING THE ACTION

Initial Action

Reduction to a single height along the whole of its length

- (i) reduce the hedge to a height not exceeding [3] metres above ground level.

Reduction to a single height in stages

- (i) reduce the hedge to a height not exceeding [6] metres above ground level;
- (ii) [9] months after the completion of step (i), further reduce the hedge to a height not exceeding [4.5] metres above ground level.

Reduction to a single height along part of its length

THE FOLLOWING EXAMPLE MIGHT APPLY WHERE ONLY THE SECTION OF THE HEDGE NEAREST THE WINDOWS OF THE COMPLAINANT'S PROPERTY IS TO BE REDUCED.

- (i) reduce the hedge to a height not exceeding [3] metres above ground level for a length of [8] metres, [measured from/centred on] the point where the hedge is closest to the windows of the house at [complainant's address]. This point is marked X on the attached plan.

THE FOLLOWING MIGHT APPLY WHERE ONLY A SECTION OF A LONGER HEDGE AFFECTS THE COMPLAINANT'S PROPERTY.

- (i) reduce the section of hedge that adjoins the (complainant's) property at [address] to a height not exceeding [3] metres above ground level;

OR

- (i) reduce to a height not exceeding [3] metres above ground level the section of hedge measuring 20 metres in length from the point where the boundaries of the properties at [addresses – complainant's and site of the hedge] meet. This point is marked X on the plan.

Lift the crowns of trees in the hedge

- (i) lift the crowns of the trees/shrubs in the hedge to a height of [4] metres above ground level.

Retain selected trees in the hedge

- (i) reduce the hedge, other than the trees identified below, to a height not exceeding [3] metres above ground level;
- (ii) no action is to be taken in relation to 1 x [rowan] tree and 1 x [oak] tree circled black on the attached plan.

Preventative Action

Maintain at a single height along the whole of its length

THE FOLLOWING FORMULA LEAVES THE DETAILS OF THE MANAGEMENT REGIME FOR THE OWNER OR OCCUPIER OF THE LAND WHERE THE HEDGE IS SITUATED TO DECIDE. THEY MIGHT COMPLY WITH THE TERMS

OF THE NOTICE BY ANNUAL PRUNING TO A HEIGHT THAT ALLOWS THE HEDGE TO RE-GROW BETWEEN CUTS. ALTERNATIVELY, THEY MIGHT CARRY OUT MORE FREQUENT LIGHT TRIMMING TO ACHIEVE THE SAME EFFECT.

- (i) maintain the hedge so that at no time does it exceed a height of [4] metres.

THE EXAMPLE BELOW WOULD REQUIRE THE OWNER OR OCCUPIER OF THE LAND WHERE THE HEDGE IS SITUATED TO CARRY OUT ANNUAL PRUNING TO A HEIGHT THAT ALLOWS THE HEDGE TO RE-GROW BETWEEN CUTS. THE MARGIN ALLOWED FOR RE-GROWTH WOULD VARY ACCORDING TO THE SPECIES OF TREES/SHRUBS IN THE HEDGE.

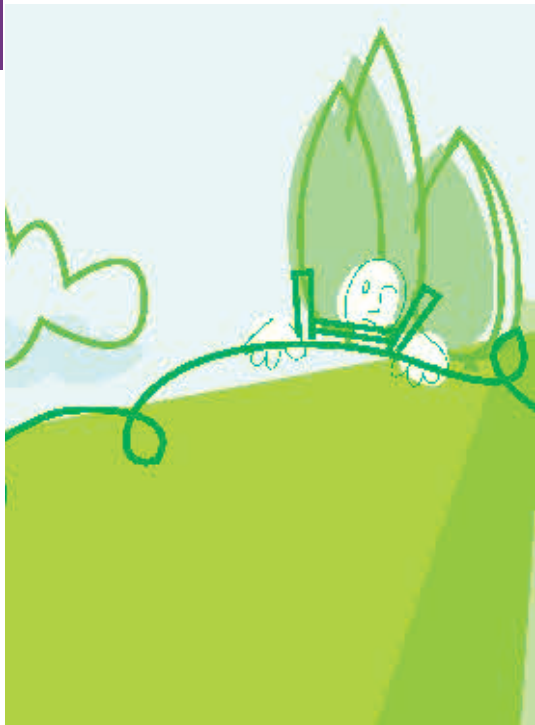
- (i) at any time that the hedge reaches a height of [4] metres above ground level, reduce it to a height not exceeding [3] metres above ground level.

Maintain at a single height along part of its length

- (i) maintain the section of hedge to which the initial action specified above relates so that at no time does it exceed a height of [4] metres above ground level.

Maintain hedge at a reduced height whilst retaining selected trees

- (i) maintain the hedge so that – other than the trees identified above – at no time does it exceed a height of [4] metres above ground level.



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