



Development Management

Guidance notes on 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**. 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 the address at the end of the form. 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 Part 3 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.

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

Completing the form

Please note that all information provided on the form will be publicly available, including all telephone numbers.

1. Contact Details

The person here will be our main contact on all matters relating to this complaint, this could be the complainant, professional adviser, relative, etc. We will direct all queries and correspondence to them. Please bear this in mind.

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

2. Property affected by the hedge

There are some documents that we are required, by law, to send to the owner **and** occupier of the affected property. These include our decision on the complaint.

Section 2.1 : The property **affected** by the hedge must be residential or include living quarters, eg flat above shop; home and doctor's surgery combined, otherwise we cannot consider your complaint.

Section 2.2 : 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.

Section 2.3 : If you are in any doubt about who owns the property, 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

3. Location of the hedge

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.

Section 3.1 : 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 Main Road".

Section 3.2: This will normally be the person you have talked to when you tried to agree a solution to your hedge problems.

Section 3.3 : If you are in doubt about who owns the property, please see the note in Section 2.3.

4. About the hedge

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.

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

Please provide a photo(s) of the hedge and a plan showing the location of the hedge and surrounding properties.

When drawing your plan, please make sure that you:

- Use an A4 sheet of paper
- Mark and name surrounding roads.
- Add house numbers or names.
- Sketch in buildings, including adjoining properties.
- Mark clearly the position of the hedge and how far it extends.
- Mark which way north is.

Please note that if you answer **no** to any of the questions in section 4 of the form, we cannot consider your complaint.

5. 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 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 (see note on section 4 above) and provide relevant measurements (eg size of garden, distance between the hedge and any windows affected). All measurements must be in metres (m).

6. 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.

7. 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.

8. Checklist

Please make sure you have ticked all the relevant boxes.

Your cheque should be made payable to Bristol City Council.

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.

9. Sending the complaint

Please send your form to the address indicated.

If you are sending this form by e-mail 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.

Translation/special requirements

If you would like this information in a different format, for example Braille, audiotape, large print or computer disc or community languages, please contact us.

Contact Details

If you are still unsure how to answer any of the questions, then please contact us:

Development Management
City Hall
PO Box 3399
Bristol, BS1 9NE

Enquiries Line: 0117 922 3000
Email: development.management@bristol.gov.uk
Website: www.bristol.gov.uk/planning