

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 £650.

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. Continue on another sheet if required.

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			
Address			
City/Town			
County		Postcode	
Daytime Telephone No.			
Mobile Telephone No.			
Fax No.			
Email Address			

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			
Address			
City/Town			
County		Postcode	
Daytime Telephone No.			
Mobile Telephone No.			
Fax No.			
Email address			

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

	Title	Forename	Surname
Name			
Address			
City/Town			
County		Postcode	
Daytime Telephone No.			
Mobile Telephone No.			
Fax No.			
Email address			

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			
Address or description of location			
City/Town			
County		Postcode	
Daytime Telephone No.			
Mobile Telephone No.			
Fax No.			
Email Address			

- 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			
Address			
City/Town			
County		Postcode	
Daytime Telephone No.			
Mobile Telephone No.			
Fax No.			
Email Address			

6. Supporting documents

- 6.1 Have you enclosed the following:

	Tick box
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 these separately)	☐

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 £650.

Tick box ☐

Name Date

7.3 POST OR EMAIL THIS FORM AND ALL ENCLOSURES TO:

**Environmental Health
PO BOX 9
Thanet District Council
Cecil Street
Margate
Kent
CT9 1XZ**

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

Tick the box to show you have done this

☐

Guidance Notes for Completing the Complaint Form

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 Environmental Health on 01843 577000 or environmental.health@thanet.gov.uk.

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

Section 1 – attempts to resolve the complaint

Please keep the description brief but say how you made the approach (e.g face to face, phone or letter) and what the result was.

Example 1

- 12 March 2015 – phoned neighbour (Mr Bloggs 12 High Street) to ask if we could discuss hedge. Met on 19 March but could not agree a solution.
- 15 April – Mediators visited
- 29 April – Met neighbours (Mr Bloggs) and mediators. But still could not find an answer we were both happy with.
- 14 May – Wrote to inform Mr Bloggs we would be complaining to the council (Copy enclosed)

Example 2

- 12 March 2015 – wrote to neighbour (Mr Bloggs – 12 High Street) to ask if we could discuss hedge. 2 weeks still no reply.
- 9 April – Wrote to Mr Bloggs to ask if he would speak to mediator (2 week still no reply)
- 7 May – Wrote to neighbour (Mr Bloggs) and informed him we would be complaining to council.

Example 3

- 12 March 2015 – saw neighbours (Mr Bloggs 12 High Street) in their garden and asked them if we could discuss the hedge. Neighbour (Mr Bloggs) came round on 19 March. Saw the effect of the hedge. Sympathetic but unwilling to reduce hedge height as much as we wanted.
- Neighbour (Mr Bloggs) willing to try mediation but discovered that neighbour mediation not in our area. We live too far from nearest service.
- 23 April – Saw Neighbour (Mr Bloggs) again and told them that, if we could not agree a solution we would have to make a formal complaint to the council. Left it for a couple of weeks then confirmed in writing (copy enclosed) 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 long-running. You need only provide evidence of your latest attempts to settle the issue.

Section 2 – Criteria for making a complaint

Who can complain?

Q2.6 You must be the owner or occupier of the property affected by the high hedge in order to make a formal complaint to the council.

If you do not own the property (e.g. because you are a tenant or leaseholder) you can still make a complaint. You should let the owner (e.g. landlord or managing agent) 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 for 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 disadvantage you experience because of the height.

We cannot consider problems that are not connected with the height of the hedge. For example if the roots are pushing up the pathway. Nor can we consider things that are not directly about the hedge in question for example other people keeping their hedges trimmed to a lower level; or that the worry is making you ill.

Please 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 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 the plan:

- Which way is North
- The position of the windows that are affected by the hedge (e.g. whether they are located on the front, rear or side of the house)
- Relevant measurements (e.g. size of the garden, distance between the hedge and any windows affected). All measurements must be in Metres

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 or the 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 a visit to 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 for all matters relating to this complaint. We will direct all queries and correspondence to you. Please bear this in mind. You will need to keep the person identified in

Q5.3 informed of the process and correspondence.

Q5.4 This will normally be the person you have talked to when you tried to agree a solution to the 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, e.g. 'Land to the rear of 12-18 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. Their website www.landregistry.gov.uk is a good source of information or you can contact the local office. There is a fee for this service, if you know the full postal address.

Alternatively, land registry online at www.landregistronline.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 a fee. The register includes ownership details.

It is not up to the council to identify the owner of the hedge. If you are unable to identify the owner or occupier then the council cannot take the complaint forward.

Section 6 – Supporting documentation

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 (e.g. January 2005 – Surveyors report). This will help us to check that we have got everything.

If you are submitting this form by e-mail but will be posting supporting documents to us separately, put a reference number of titles on them (e.g. 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 your cheque payable to **Thanet District Council**.