

## Uttlesford District Council

### High Hedges 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.

#### Section 1: Attempts to resolve the complaint

Please keep the descriptions brief but say how you made the approach (e.g. face to face, phone call, letter) and what the outcome was.

##### Example 1

- 10th March 2010 - telephoned neighbour (Mrs. Hudson of 221b Bakers St.) to ask if we could discuss hedge. Met on 19th March but we could not agree a solution;
- 1st April 2010 - mediators visited;
- 29th April 2010 - met neighbour (Mrs. Hudson) and mediators. But still could not find an answer we were both happy with;
- on 14th May 2010 - wrote to inform neighbour (Mrs. Hudson) I would be lodging my complaint with Uttlesford District Council.

##### Example 2

- 10th March 2010 - wrote to neighbour (Mrs Hudson of 221b Bakers St.);
- 1st April 2010 - wrote to ask if she would speak to a mediator. Two weeks later still no reply.
- 14th May 10 - wrote to inform neighbour (Mrs Hudson) I would be lodging my complaint with Uttlesford District Council.

##### Example 3

- 10th March 2010 - saw neighbour (Mrs. Hudson of 221b Bakers St.) in her garden and asked if we could discuss hedge. Neighbour (Mrs. Hudson) came round on 19th March 2010. Saw the effect of the hedge for herself. Sympathetic but unwilling to reduce the hedge as much as I wanted;
- Neighbour (Mrs. Hudson) not willing to try mediation;
- 14th May 2010 - saw Mrs. Hudson and told her that, if we could not agree a reduction in the height of her hedge, I would make a complaint to Uttlesford District Council. I left the matter for a couple of weeks before writing to my neighbour (Mrs. Hudson) saying that I would be going ahead with a complaint to the Council.

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

## Section 2: Criteria for making a complaint

### Who can complain

Q2.6 You must be the owner or the 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 (e.g. because you are a tenant or a leaseholder), you can still make a complaint. But you should let the owner (e.g. 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 at a lower height; or that the worry is making you ill.

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

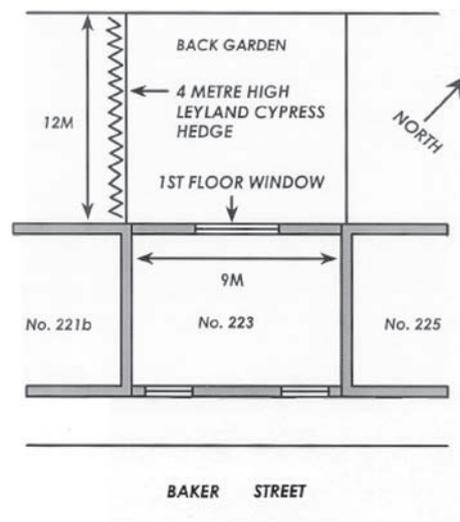
When drawing the plan, please look at the example below and make sure that you:

- Mark on the 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 (e.g. whether they are located on the front, side or rear of the house)
- Relevant measurements (e.g. size of garden, distance between the hedge and any windows affected)

All measurements must be in metres (m).



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 do not need to tell us about telephone calls or other informal contact with the Council about your hedge problems.

## **Section 5: The parties**

We need all the 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.

Q5.2 You need to complete this section this 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.

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, e.g. 'Land to rear of 12 to 18 High St'.

We need this information because we will have to contact these people for their comments, and to arrange a visit to 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](http://www.landregistry.gov.uk)) or can be obtained from the Local Office (Peterborough District Land Registry, Tuthill Close, City Road, Peterborough PE1 1XN. Telephone: 01733 288288).

## **Section 6: Supporting evidence**

Please make sure you have ticked all the relevant boxes.

## **Section 7: Sending the complaint**

Please enclose your cheque made payable to Uttlesford District Council with your completed complaint form.