

# HIGH HEDGES LEGISLATION - 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.

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 the Planning Service on 0161 912 3149 or [trees.planning@trafford.gov.uk](mailto:trees.planning@trafford.gov.uk)

---

## Section 1.1 Details of the person making the complaint

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.

### Question 1.5

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.

## Section 2: Complaint against

### Question 2.1

This will normally be the person you have talked to when you try 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 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.

### Question 2.4

If you are in any doubt about who owns the property where the hedge is situated, you can check with the Land Registry. The Land Registry website (<http://www.landregistry.gov.uk/public>) has a section for checking property ownership and advice on boundary questions. The Land Registry may charge for the supply of Title documents.

## **Section 3: Criteria for making a complaint**

### **Question 3.6**

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 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.

### **Question 3.7**

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

## **Section 4: Attempts to resolve the complaint**

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

### **Example 1**

- 12 March 2005 – phone neighbour (Mr Bloggs of 12 High Street) to ask if we could discuss hedge. Met on 19 March but 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 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 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 property where the hedge is growing, and to the person who lives there if they are different people.

### Grounds of complaint continued

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:

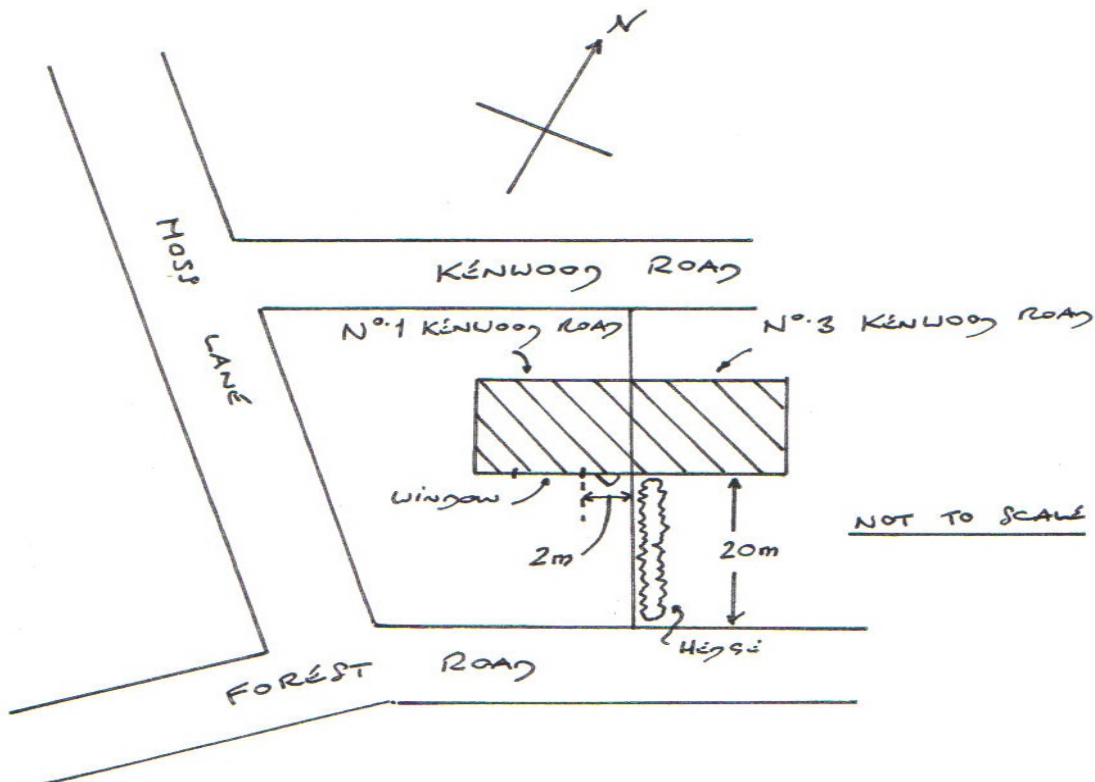
- Mark and name surrounding roads.
- Sketch in buildings, including adjoining properties. Add house numbers or names.
- Mark clearly the position of the hedge and how far it extends.

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 (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 6: 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 7: Declaration**

Question 7.2 Please make your cheque payable to Trafford MBC.