



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 leaflets sent with the complaint form which provides general advice or what the Council can & cannot get involved with concerning high hedges: -

Leaflet - *'High hedges: complaining to the council'*

Leaflet - *"Over the garden 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 :-

Stockton Borough Council

Economic Growth and Development Services

Planning (Enforcement Section)

Municipal Buildings

Church Road

Stockton on Tees

TS18 1LD

Tel direct line 01642 526386 or 526449 or 526058

E-mail: developmentservices@stockton.gov.uk

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 2010 - phoned to ask if we could discuss hedge. (Keep a record of conversation, date, time, details)
- Met on 19 March 2010 but we couldn't agree a solution. (Keep a record of the conversation date, time, details)
- 15 April 2010 - mediators visited (Keep a record of the conversation date, time, details)
- 29 April 2010 - met neighbours and mediators. But still couldn't find an answer we were both happy with. (Keep a record of the conversation date, time, details)
- 14 May 2010 - wrote to inform neighbour would be complaining to council if no solution within the next 7 days from the date of the letter. (Keep a copy of the letter & any response / details)

Example 2

- 12 March 2010 - wrote to ask if we could discuss hedge. (Keep a copy of the letter & any response / details) - 2 weeks later still no reply;



- 9 April 2010 - wrote to ask if would speak to mediator. (Keep a copy of the letter & any response / details) - 2 weeks later still no reply;
- 7 May 2010 - wrote to inform neighbour would be complaining to council if no solution within the next 7 days from the date of the letter. (Keep a copy of the letter & any response / details).

It is not necessary to send copies of all correspondence with your neighbour about the hedge if the dispute is a long-running one. You need only provide evidence of your last 3 attempts to settle it.

The key message here is that the neighbour needs to have tried to discuss and resolve the matter with the owner of the hedge verbally and or in writing before coming to Stockton Borough Council.

Stockton Borough Council is a remedy of a last resort, not a first point of contact.

Stockton Borough Council would expect recent (i.e. within the last 2 months) attempts at a local settlement and will not entertain any application unless this requirement is satisfied.

2. Criteria for making a complaint

Who can complain

2.6 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.

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

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 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 also 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 in buildings, including adjoining properties. Add house numbers or names.
- Mark clearly the position of the hedge and how far it extends.
- Mark which way north is.



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).

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.

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.

5.1 Even if someone else is submitting the complaint on your behalf, it is important that we have the complainant's 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.

5.2 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.

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

This person will be our main contact on all matters relating to this complaint. We will direct all queries and correspondence to them. 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.

5.4 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 Main 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.

5.5 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.

Alternatively, Land Register Online (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 a fee. The register includes ownership details.

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 2010 - 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, 12 High Street) so that we can match them up with your complaint.

7. Sending the complaint

7.2 The fee at present is £350.

- Your cheque should be made payable to Stockton on Tees Borough Council. (please do not send cash through the post)
- You can also pay by cash / credit / debit card at reception.
- You can also pay by debit / credit card over the phone.

There are no exemptions from the payment of the fee.

7.5 You must send a copy of your complaint form to the hedge owner so that he is aware that you have lodged a formal complaint.