

Guidance notes for completing the complaint form: High hedges

These guidance notes will 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*'. Please note that consideration of your complaint will be delayed if you do not complete the form properly or do not provide the information requested.

1. 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

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.

It is not necessary to send copies of all correspondence with your neighbour about the hedge. You need only provide evidence of your latest attempts to settle it.

2. About the hedge

Please provide details of the hedge.

Criteria for making a complaint

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 (e.g. because you are a tenant), you can still make a complaint. However, you should let the owner (e.g. landlord) 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 please 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. We cannot consider things that are not directly about the hedge in question, for example, that other people keep their hedges trimmed to a lower height.

Please also provide photographs of the hedge and a plan showing its location.

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 and provide relevant measurements (e.g. size of garden, distance between the hedge and any windows affected). All measurements must be in metres.

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. Contact details

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.

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. Complete this section if you are an 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. We cannot send documents to you electronically unless you agree.

5.3. 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 Street'.

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.

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. Land Registry will make a charge for this service.

6. Supporting documents

If you have ticked the last box, please list these documents by date and title (e.g. January 2018 - surveyor's report). This will help us check that we have got everything.

7. Sending the complaint

You should make out your cheque to 'Torbay Council' and send the completed form to the address at the top of the page.