

Planning • Cynllunio



Form 10 High Hedge Complaint

This form should be used to submit a complaint to the Council under Part 8 of the Anti-social Behavior Act 2003. Please read the accompanying notes before filling in this form.

Complete in BLOCK letters and send the completed form, supporting information and fee to:

Environment Directorate, Flintshire County Council, County Hall, Mold, Flintshire. CH7 6NF

1. Complainant	Representative (if any)
Name	Name
Address	Address
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.....
Post Code:	Post Code:
Daytime Tel. No.:	Daytime Tel. No.:
Fax: Mobile No.:	Fax: Mobile No.:
E-mail:	E-mail:

Is the complainant the owner or tenant of the property affected by the hedge? Yes No

2. About the Hedge

Is the hedge – or section of the hedge – that is causing the problem, made up of a line of two or more trees or shrubs? Yes No

Is the hedge mostly evergreen or semi-evergreen? Yes No

Is the hedge more than 2 metres tall from ground level? Yes No

Even if there are gaps in the foliage, or between the trees, is the hedge still capable of obstructing light or views? Yes No

Is the hedge growing on land owned by someone else? Yes No

3. Property affected by hedge

Is the property residential? Yes No

Name and address or location of property affected by the hedge if different from the complainant's:
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..... Postcode:

Daytime Tel. No.:

Fax: Mobile No.:

E-mail:

NOTE: If you have answered "No" to any of the questions in Sections 1, 2 or 3 then the High Hedge regulations can not be applied to your case and the County Council is unable to proceed with your complaint under Part 8 of the Anti-social Behavior Act 2003. If you have answered "Yes" to all of the questions then please continue to fill in the form.

4. Location of Hedge

Address of the property where the hedge is located:
..... Postcode:

Name of occupant:

Daytime Tel: No (if known) Mobile No. (if known)

E-mail: (if known)

Name of owner of property if different from above:

Address of owner of property:

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Daytime Tel: No (if known) Mobile No. (if known)

E-mail: (if known)

5. Attempts to resolve the high hedge complaint

Briefly describe all previous attempts that you have made to resolve the matter under the following headings. Include dates and provide copies of any letters you refer to.

(a) Direct Approach

Have you approached your neighbour and asked them to discuss the problem? Yes No

If so, what was their response?

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(b) Mediation

Have you asked the owner of the hedge to consider mediation Yes No

If so, what was their response?

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(c) County Council involvement

Have you informed the owner of the hedge of your intention to involve the County Council Yes No

If so, what was their response?

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NOTE: Before the County Council will consider becoming involved, you should have taken all the above steps towards resolving this issue yourself.

6. Grounds of Complaint

Please describe how you are affected by the height of the neighbouring hedge. Describe the problems actually experienced by the hedge being too tall. It will save time and help your case if you keep to the facts and provide all relevant information to back up your case. (Continue on a separate sheet if necessary)

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To support your case, please provide a sketch plan indicating the position of the hedge in relation to your property and photographs of the hedge. (An example of a sketch plan is shown overleaf)

7. Previous complaints to the Council

Have any previous formal complaints been made to the Council relating to this hedge? Yes No
If yes, please provide dates and/or any County Council reference number

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Have any of the circumstances changed since the Council last looked at this complaint? Yes No
If yes, please explain

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NOTE: If the circumstances have not changed then the County Council may not proceed with your complaint

8. Supporting Documents

I enclose copies of the following supporting information:
Photograph(s) of the hedge Yes No
Location plan showing position of the hedge in relation to surrounding properties. Yes No
Copies of correspondence exchanged with the owner of the hedge Yes No
Copies of any other documents that you have mentioned in you application Yes No
Fee £320. A reduced fee of £160 is payable if the complainant is a senior citizen, registered disabled or in receipt of State Benefit. (See Guidance Notes for more information about the reduced fee). Yes No

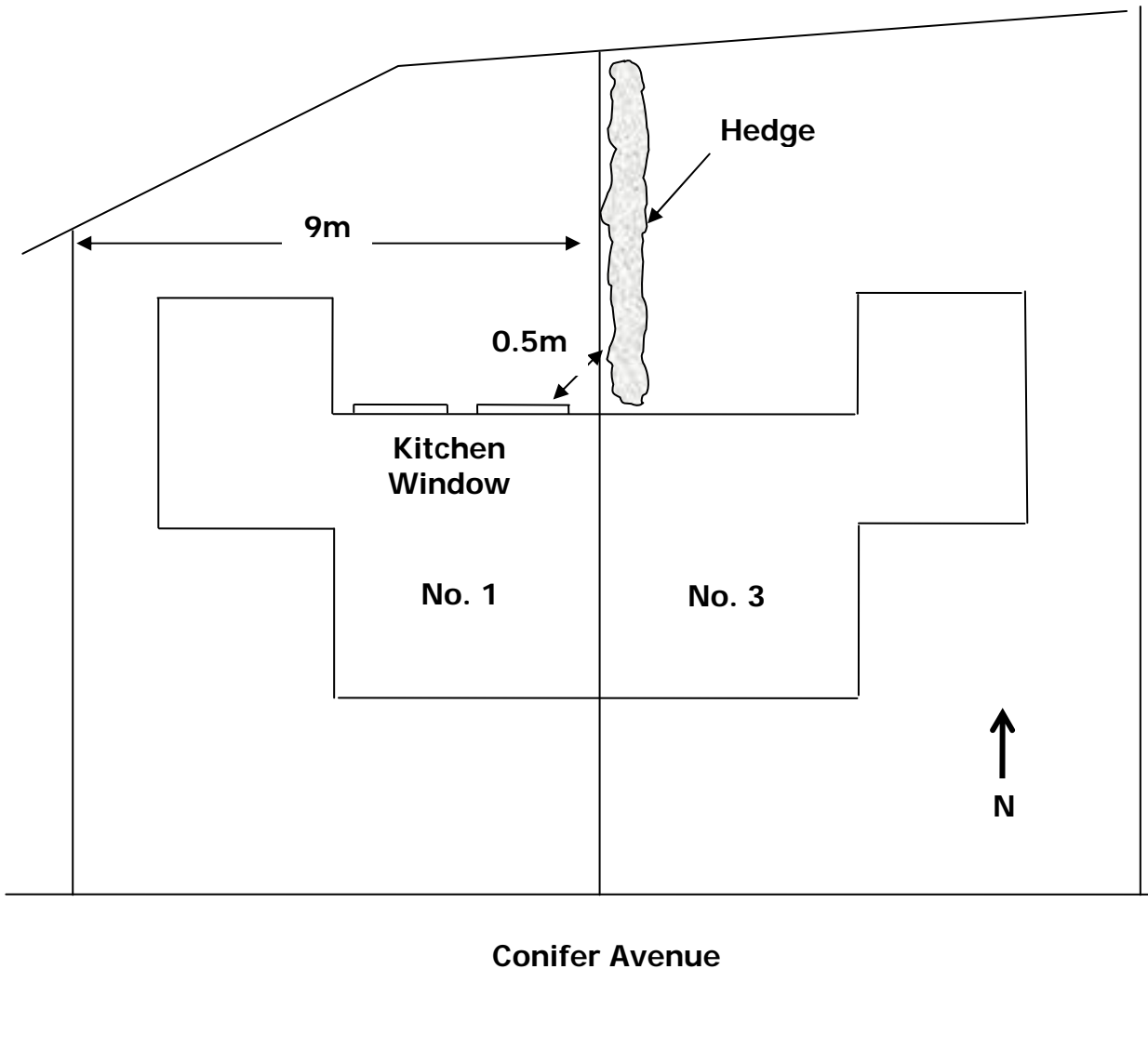
9. Declaration – to be completed by the applicant

I have completed this form to the best of my knowledge and the information provided is accurate.

I enclose the fee of £by cheque/postal order no. / cash

Signed: Date:

Print name:



Location Plan showing position of hedge on neighbouring land at 3 Conifer Avenue

Form 10 High Hedge Complaint - Guidance Notes

These notes are provided to assist you when filling in the application form and should be read along with the leaflet "High Hedges – Complaining to the Council." Processing your complaint may be delayed if you do not complete the form correctly or do not provide sufficient supporting information.

Question 1 Complainant/Representative

Complainant: Even if someone is submitting the complaint on your behalf, it is important that we have your contact details. The complainant must be the owner or occupier of the property affected by the hedge.

Representative: Complete this section if you are a professional advisor, relative, friend or other representative acting for the complainant. The representative will be the main contact on all matters relating to the complaint. All correspondence and queries will be directed to the representative.

The property affected by the hedge must be residential, wholly or in part (e.g. a flat in a business premises)

Question 2 About the Hedge

Your answers to these questions should be carefully checked to ensure that you are making a complaint that the Council can deal with under Part 8 of the Anti-social Behavior Act 2003.

Question 3 Property affected by the Hedge

In most cases this will be the same as the complainant's name and address. If you are a landlord and are complaining about a hedge which affects a property in your ownership, please give the contact details of the tenant so that access to the property can be arranged.

Question 4 Location of the Hedge

This will be the name and address of the person that you have approached. If the site where the hedge is growing does not have a postal address describe the location as clearly as possible (e.g. Land to rear of 12- 18 High Street).

If you are in 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. The current fee for this service is (£4), if you know the full postal address of the property.

Alternatively, Land Register Online (at www.landregisteronline.gov.uk) provides easy access to details of registered properties in Wales. Copies of title plans and registers held in electronic format can be downloaded in PDF format for £2 each. The register includes ownership details.

We need this information so that we can contact the owner for their comments and arrange to visit the site where the hedge is growing.

Question 5 Attempts to resolve the high hedge complaint

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

(a) Direct approach

Example:

12th March 2005 – phoned to ask if we could discuss hedge. Met on 19th March but we could not agree a solution

(b) Mediation

Example;

15th April – mediators visited;

29th April – met neighbour and mediators. But still could not find an answer we are both happy with;

Provide evidence of the last attempt to settle the issue

(c) County Council involvement

Example;

14th May – wrote to inform neighbour would be complaining to the Council

Question 6 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 disadvantages 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 of the hedge are pushing up the 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 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 on the back of the complaint form 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.
- Which way is north
- Relevant measurements in metres (e.g. size of garden, distance between the hedge and any windows affected)

If you are complaining about a hedge blocking out light the position of windows that are affected. Where only part of the affected building is used for residential purposes, only those windows relevant to such use should be shown.

Please include copies of any professional reports that you may have had prepared and any other documents that you want the Council to take into account.

Question 7 Previous Complaints to the Council

We only need to know about formal complaints made under the High Hedges Part 8 of the Anti-social Behavior Act 2003. You don't need to tell us about telephone calls or other informal contact with the Council about your hedge problem.

Question 8 Supporting Documents

Please make sure you have ticked all the relevant boxes and enclosed all the documents.

If you have ticked the last box please list these documents by date and title (e.g. January 2005 – Surveyor's Report). This will help us to check that we have everything

Question 9 Declaration

The standard fee to make a High Hedge Complaint is £320. However if you are a Senior Citizen, registered disabled or are in receipt of State Benefit, a reduced fee is payable provided you complete the Reduced Fee Form