

**COMPLAINTS FORM: HIGH HEDGES**

Use this form to submit a complaint to the Council about a high hedge, under Part 8 of the Anti-social Behaviour Act 2003. It should be completed by the person making the complaint or their representative.

Before completing this form, please read the [Guidance Notes](#) attached and the leaflet "[High Hedges: Complaining to the Council](#)" (PDF). Please use BLOCK CAPITALS and black ink.

**YOU MUST PAY A FEE WHEN YOU SUBMIT THIS FORM. The current fee is £320.**

**The Council will reply on the information you provide, so please ensure it is clear and accurate.**

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**1. Attempts to Resolve the Complaint**

**Please describe what you have done to try to settle this matter. [Give dates and state what the result was. Please provide copies of any letters that you mention.]**

1.1 Approached neighbour/hedge owner and asked to discuss problem.

1.2 Asked neighbour/hedge owner to try mediation.

1.3 Informed neighbour/hedge owner of intention to complain to Council.

If you have not attempted all of the above steps, the Council may not proceed with your complaint.

1.4 Anything else

**2. Criteria for Making a Complaint**

*About the Hedge*

2.1 Is the hedge – or the portion that is causing problems, made up of a line of two or more trees or shrubs?

Yes

No

2.2 Is it mostly evergreen or semi-evergreen:

Yes

No

2.3 Is it more than two metres above ground level:

Yes

No

2.4 Even though there are gaps in the foliage or between the trees, is the hedge still capable of obstructing light or views?

Yes

No

2.5 Is it growing on land owned by someone else?

Yes

No

*Who can complain*

2.6 Is the complainant the owner or occupier [eg tenant] of the property affected by the hedge:

Yes

No

Please delete whichever does not apply.

Owner/Occupier

2.7 Is the property residential

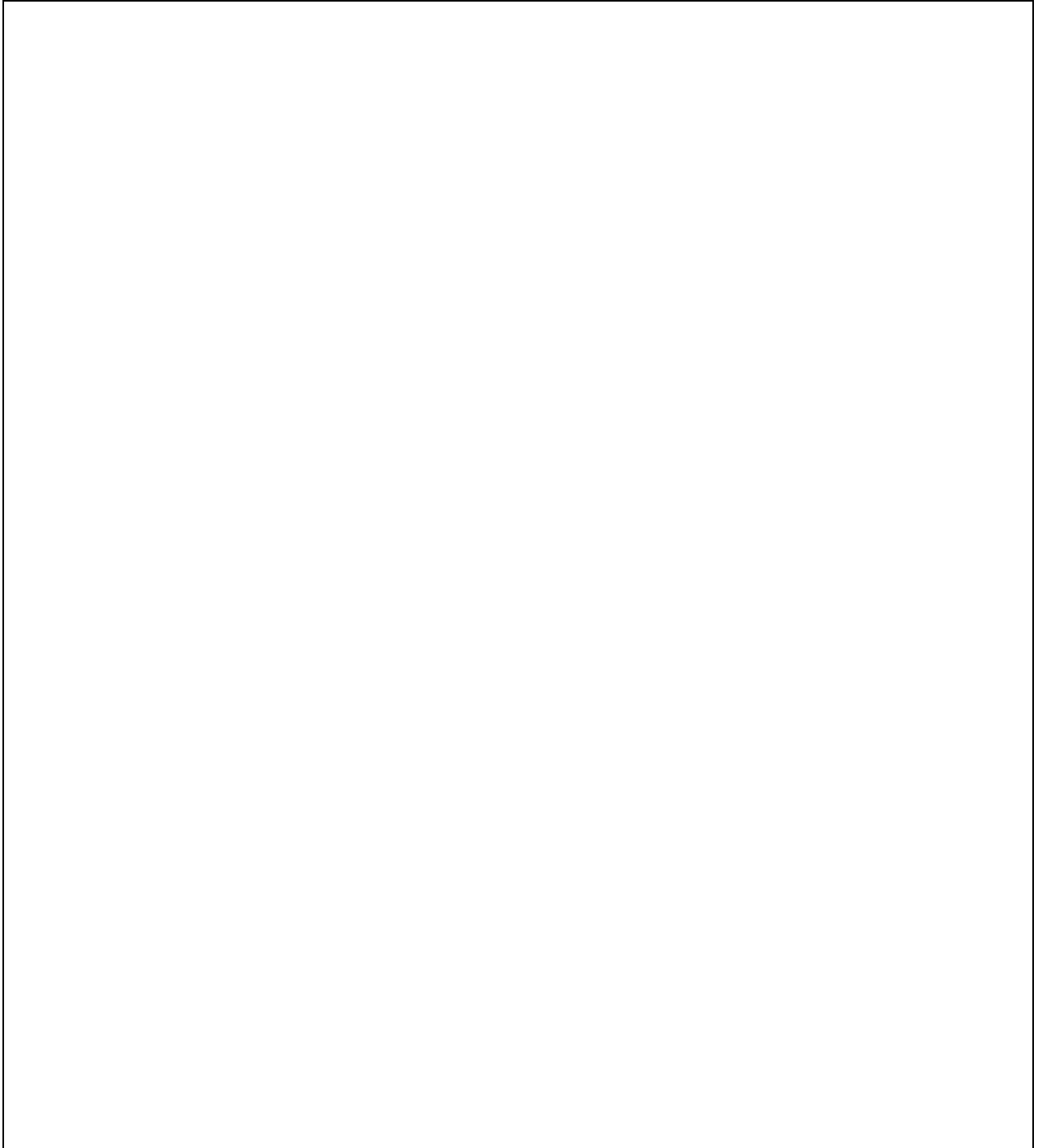
Yes

No

***If you have answered “No” to any of the questions in this Section, the criteria have not been met and so the Council cannot consider your complaint.***

**3. Grounds of Complaint**

Please describe the problems actually experienced as a result of the hedge being too tall, and state how serious they are. It will save time and help your case if you state facts and provide all relevant information to back up the points you are making.

A large, empty rectangular box with a thin black border, intended for the user to provide a detailed description of the problems caused by a tall hedge, along with supporting facts and evidence.

To help the Council understand your situation, please provide a photograph of the hedge and a plan or sketch of both the site and where the hedge is growing and the property it is affecting, with the hedge clearly marked on it.

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**4. Previous Complaints to the Council**

4.1 Has a formal complaint been made to the Council before regarding this hedge?

Yes

No

4.2 If you have ticked "If you have ticked "Yes" do you know the date and/or reference number of the Council's decision letter?

Date

Ref. No

4.3 What has changed since the Council last looked at this?

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If nothing has altered, the Council may not proceed with your complaint.

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## 5. Who's Who/The Parties

5.1 Complainant's Contact Details

|                          | Title | Forename | Surname |
|--------------------------|-------|----------|---------|
| Name                     |       |          |         |
| Address                  |       |          |         |
| City/Town                |       |          |         |
| County                   |       | Postcode |         |
| Daytime Telephone Tel No |       |          |         |
| Mobile Telephone No      |       |          |         |
| Fax No                   |       |          |         |
| Email Address            |       |          |         |

Is the complainant content for us to contact them by email, at the address provided?

Yes

No

5.2 Address of the property affected by the hedge and name of the person living there, if different to [5.1].

|                          | <b>Title</b> | <b>Forename</b> | <b>Surname</b> |
|--------------------------|--------------|-----------------|----------------|
| Name                     |              |                 |                |
| Address                  |              |                 |                |
| City/Town                |              |                 |                |
| County                   |              | Postcode        |                |
| Daytime Telephone Tel No |              |                 |                |
| Mobile Telephone No      |              |                 |                |
| Fax No                   |              |                 |                |
| Email Address            |              |                 |                |

5.3 Contact details of Agent or other person acting on behalf of the complainant [if any].

|                          | <b>Title</b> | <b>Forename</b> | <b>Surname</b> |
|--------------------------|--------------|-----------------|----------------|
| Name                     |              |                 |                |
| Address                  |              |                 |                |
| City/Town                |              |                 |                |
| County                   |              | Postcode        |                |
| Daytime Telephone Tel No |              |                 |                |
| Mobile Telephone No      |              |                 |                |
| Fax No                   |              |                 |                |
| Email Address            |              |                 |                |

Is the Agent, or other person named above content for us to contact them by email, at the address provided?

Yes

No

5.4 Address of the site where the hedge is growing and name of person living there [if known].

|                                    | Title | Forename | Surname |
|------------------------------------|-------|----------|---------|
| Name                               |       |          |         |
| Address or description of location |       |          |         |
| City/Town                          |       |          |         |
| County                             |       | Postcode |         |
| Daytime Telephone Tel No           |       |          |         |
| Mobile Telephone No                |       |          |         |
| Fax No                             |       |          |         |
| Email Address                      |       |          |         |

5.5 Name and Address of the person who owns the property where the hedge is situated, if different from [5.4] and [if known],

|                          | Title | Forename | Surname |
|--------------------------|-------|----------|---------|
| Name                     |       |          |         |
| Address                  |       |          |         |
| City/Town                |       |          |         |
| County                   |       | Postcode |         |
| Daytime Telephone Tel No |       |          |         |
| Mobile Telephone No      |       |          |         |
| Fax No                   |       |          |         |
| Email Address            |       |          |         |

## 6. Supporting Documents

6.1 Have you enclosed the following:-

A photo of the hedge

A location plan of the hedge and surrounding properties

Copies of correspondence with your neighbour regarding the

Tick Box

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Copies of any other documents that you mention [*please list these separately*].

**7. Sending the Compliant**

7.1 I confirm that I have completed as much of this form as I can and that, to the best of my knowledge, the information provided is accurate.

Tick Box

7.2 I enclose the fee of £320 [cheques payable to *Newport City Council*].

Tick Box

Name

Date

7.3 Post or email this form and **ALL** enclosures to-

***Council to insert name and address of contact. Include an email address.***

7.4 Please also send a copy of this form to the people identified in Section 5 above.

Tick the box to show you have done this.

**You can also download this complaint form from our website at [www.newport.gov.uk/dc](http://www.newport.gov.uk/dc) under the 'enforcement' section**

## GUIDANCE NOTES FOR COMPLETING THE COMPLAINTS FORM

### GENERAL NOTES

These guidelines notes are to help you complete the form to make a complaint regarding a neighbour high hedge. You should also read the leaflet "[High Hedges: Complaining to the Council](#)" (PDF).

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 Planning Enforcement on [01633] 656656 or [\[planning@newport.gov.uk\]](mailto:planning@newport.gov.uk) with the subject as 'planning enforcement'.

### Section 1: Attempts to Resolve the Complaint

Please keep the descriptions brief but state how you made the approach [eg face-to-face, telephone, letter] and the results.

#### *Example 1*

- 12 March 2005 – telephoned neighbour [Mr Bloggs of 12 High Street] to ask if we could discuss the hedge. Met on 19 March 2005 but could not agree a solution;
- 15 April 2005 – mediators visited;
- 29 April 2005 – met neighbours [Mr Bloggs] and mediators, but still could not find agree on a solution.
- 14 May 2005 – 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. Two weeks later still no reply.
- 9 April 2005 – wrote to ask if he would speak to mediator. Two weeks later still no reply.
- 7 May 2005 – wrote to inform neighbours [Mr Blogs] would be complaining to Council.

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



## **Section 2: Criteria for Making a Complaint**

### ***Who Can Complain***

G2.6 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 inform the owner [eg landlord or management company] of what you are doing.

Q2.7 The property does not have to be wholly residential but must include separate living accommodation otherwise the Council cannot consider the complaint.

## **Section 3: Grounds of Complaint**

It will help if you provide as much information as possible, but keep it factual. Remember that a copy of this form will be forwarded to the owner and occupier of the property where the hedge is situated.

Concentrate on the hedge and the disadvantages you experience because of its height. The Council cannot consider problems that are not connected with the height of the hedge, for example that the roots are pushing up a path, nor can it consider problems that are not directly relating to the hedge in question, eg that other people keep their hedges trimmed to 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 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.

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 [eg whether they are located on the front, side or rear of the house].
- Relevant measurements [eg 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

This includes formal complaints made under the High Hedges Part of the Anti-Social Behaviour Act 2003 **only**. You do not need to include telephone calls or other informal contact with the Council regarding your hedge problems.

## Section 5: Who's Who/The Parties

You need to provide the names and addresses of all parties as there are some documents that the Council is required, by law, to forward 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.

Tick the **YES** box if you prefer to be contacted by email. We cannot send documents to you electronically without your approval.

Q5.2 You need to complete this section only if the complainant does not reside in the property affected by the hedge. This information is required to arrange a site visit so that the effect of the hedge can be witnessed.

Q5.3 Complete this Section if you are a professional advisor, relative, friend or other representative.

**You will be our main contact on all matters relating to this complaint.** All queries and correspondence will be directed to you. Please bear this in mind.

If you tick the **YES** box, all business relating to this complaint will be conducted by email. Documents cannot be sent to you electronically without your approval.

Q5.4 This will normally be the person you have spoken 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 situated eg "*land to rear of 12 – 18 High Street*" or "*Park adjoining Tower Road*".

This information is required to contact the people for their comments, and to arrange a site visit where the hedge is growing.

Q5.5 If you are in any doubt regarding the owner of the property where the hedge is situated, the Land Registry will be able to assist you. 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. The current fee for this service is £8.00 if you know the full postal address of the property.

Alternatively, Land Register Online [[www.landregisteronline.gov.uk](http://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. The register includes ownership details.

## Section 6: Supporting Documents

Please ensure you have ticked all the relevant boxes.

If you have ticked the last box, please list these documents by date and title [eg January 2005 – Surveyors report]. This will assist the Council to ensure all documents have been received.

If you are submitting this form by email, but will be posting supporting documents separately, please insert a **reference number or title** on each document [eg *Hedge Complaint – Joe Bloggs, 12 High Street*] in order that they can be attached to your complaint.

### **Section 7: Sending the Complaint**

A fee of £320.00 should be enclosed with your complaint [cheques payable to “*Newport City Council*”].

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MH/SAD 30 March 2011