

Once a valid complaint has been received, the hedge owner will be contacted and invited to supply their views. Council Officers will then visit both properties concerned to assess the complaint. This includes a calculation based upon the height of the hedge and the distance between it and the adjacent properties.

Each case will be assessed on its own merits and a decision made as to what is a reasonable hedge height for the given location. In making this decision the Council must consider not only the views of the complainant but also the views of the hedge owner and the consequences for the amenity of the surrounding neighbourhood.

A decision should be issued within 8 weeks of the date of the site visit. If the complaint is upheld, the hedge owner will be issued with a 'remedial notice' requiring them to cut the hedge down to a height specified by the Council.

The council cannot order that the hedge be removed entirely or be cut down to below 2 metres. Both the complainant and the hedge owner have the right of appeal against the Council's decision.

A guide to making **High Hedge Complaints**

For further information regarding high hedge complaints, please contact the Arboricultural Officer

Tel: 0191 433 3456

Email:

enquiriesdevcon@gateshead.gov.uk

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High Hedge Complaints

The legislation relating to High Hedges is contained within part 8 of the Anti-Social Behaviour Act 2003. The law does not state that all hedges must be maintained at a particular height.

In order for a complaint regarding a high hedge to be considered by the Council, the following criteria must be met:

- The hedge, or the portion that is causing problems, must be made up of a line of 2 or more trees or shrubs.
- It must be evergreen or semi-evergreen.
- Its height must be more than 2 metres above ground level.
- Even if there are gaps in the foliage or between the trees, the hedge must still be capable of blocking daylight or views.
- The hedge must be growing on land owned by somebody other than the complainant.
- The complainant must be the owner or the occupier of the property affected by the hedge.
- The property affected by the hedge must be residential.



Complaints can only be considered regarding problems which are directly related to the height of the hedge and which have an impact on the complainant's home and garden

It will not be possible to consider complaints for the following:

- Individual trees;
- Deciduous hedges;
- An untidy appearance or litter dropped by a hedge;
- Root damage or any other effect caused by roots.

Should an individual wish to make a formal complaint, they will need to complete the relevant complaint form, copies of which are available upon request.

In addition to the complaint form, the complainant will legally be required to provide the following information:

- Sufficient evidence to demonstrate that the complainant has attempted to resolve the matter themselves before making the formal complaint. The evidence must include dated correspondence between the complainant and the hedge owner. The complainant must have written to the hedge owner at least once within the previous 6 months.

Evidence of attendance at mediation meetings will also be acceptable. Gateshead Council offers a free mediation service which is available to all residents by calling: 0191 433 2634.

- A site plan showing the location of the hedge and the affected properties
- Photographs of the hedge

Complainants are required to send a copy of the formal complaint form and the supporting information both to the Council and the owner of the hedge at the same time.

The correct fee must be enclosed with the complaint form. The fees are as follows:

£320 per complaint or £160 for concessions (pensioners and those in receipt of benefits).