



Basingstoke and Deane

HIGH HEDGES COMPLAINT Notes for completion of form

A GUIDE TO MAKING AN APPLICATION - Please read carefully

General Notes

These guidance notes are to help you complete the form to make a complaint about a neighbouring high hedge. You should also read the leaflet 'High Hedges: complaining to the council'. 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 the Compliance Officer, Planning Control, Basingstoke and Deane Borough Council on 01256 844844 or email enforcement@basingstoke.gov.uk.

1. Concerned Parties

We need all these names because there are some documents that we require, by law, to send to the owner and occupier of the land on which the hedge grows. These include our decision on the complaint.

- 1.1 Please give the name of the complainant even if someone else has submitted the complaint on behalf of the complainant. It is important that we have the complainant's contact details.
- 1.2 We need full details of the person acting on behalf of the complainant as all correspondence will be sent to, and all visits to the site arranged with, this person.
- 1.3 Please give the address of the property that is affected by the hedge. If the same as 1.1 please state.
- 1.4 Please give the address where the hedge is growing. 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 the rear of 1-13 High Street, or Park adjoining main road.
- 1.5 Please give the name of the owner of the land 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 their local office. There is a fee for this service. Alternatively, the Land Register Online at www.landregistry.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 small fee. The register includes ownership details.

2. Criteria for making a complaint

Please complete all questions 2.1 – 2.7. If any questions are answered 'no' this means the complaint does not meet the requirements set out in the legislation that enables the Council to become involved.

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. 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 of its height. The Council cannot consider problems that are not concerned with the height of the hedge, eg. The roots of the hedge pushing up a path.

4. Attempts to resolve the complaint

Please keep the descriptions brief, but say how you made the approach, eg face to face, telephone, letter, and what the result was. See the examples below of the type of information you should provide:

Example 1:

12 March 2004 – phoned to ask if we could discuss hedge. Met on 19 March but could not agree solution

15 April – mediators visited

29 April – met neighbours and mediators. Still could not find answer we were both happy with

14 May – wrote to inform neighbour would be complaining to council

Example 2

12 March 2005 – wrote to ask if we could discuss hedge. 2 weeks later still no reply

9 April – wrote to ask if they 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, especially if the dispute is a long running one. You need only provide evidence of your latest attempts to settle it.

5. Previous complaints to the Council

Please give details of any formal complaint made under the High Hedges part of the Anti-social Behaviour Act 2003. Do not give details of any telephone calls or informal contact with the Council about your hedge problems.

6. Supporting documents

Please provide all the information listed and copies of any professional research that you may have had prepared.

When drawing your plan, please 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

If you wish, copies of Ordnance Survey map extracts can be purchased from Building Control, Basingstoke & Deane Borough Council (01256 844844)

7. Fees

The fee applicable for this application is £300. This fee is not refundable once the application is accepted.

8. Sending the Complaint

Please ensure you have completed all parts of the form, enclosed the documents specified in the form and appropriate fee.

Large Print versions of these guidance notes are available from the Compliance Officer, Basingstoke and Deane Borough Council, Civic Offices, London Road, Basingstoke, RG21 4AH, (Tel) 01256 844844