

Sheffield City Council

High Hedges Complaint Form

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.

Please note that a copy of this form has to be sent to everyone who is a complainant and every owner and occupier of the land where the hedge is situated.

Do you need help completing this form?

- Large Print Versions are available by calling 0114 273 4651
- Please read the guidance notes sent with it and the leaflet '*High hedges: complaining to the council*'. More information is available on www.sheffield.gov.uk (type "high hedges" in the search facility). You can also download this form.
- This form can be translated into the main community languages of Sheffield.

When completing this form, please use **BLOCK CAPITALS** and **black ink**.

YOU MUST PAY A FEE WHEN YOU SEND IN THIS FORM. *The current fee is £450. A reduced rate of £75 applies to people in receipt of Housing Benefit or means tested Job Seekers' Allowance. (You will be required to provide documentary evidence of these benefits with your application).*

The Council will rely on the information you provide so please make sure it is clear and accurate. Unfortunately any forms not fully completed cannot be accepted.

1. Attempts to resolve the complaint

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

- 1.1 Have you recently asked the hedge owner to discuss the problem? (Please provide dates, brief details of any discussions and copies of any correspondence)

- 1.2 Have you asked the hedge owner to try mediation? (Please provide dates, brief details and any copies of correspondence)

1.3 Have you informed them of intention to complain to the council? (Please provide dates, brief details and any copies of correspondence)

If you have not tried all the above steps, the Council **will 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 2 or more trees or shrubs?

Yes

No

2.2 Is it mostly evergreen or semi-evergreen?

Yes

No

2.3 Is it more than 2 metres above ground level (as measured from the owner's side)?

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 Can you be certain it growing on land owned by someone else? (you must be sure of boundary lines and may need to refer to land deeds or conduct a land search – see point 5.5 in the complaint form guidance notes)

Yes

No

Who can complain

2.6 Are you the complainant and 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 affected property wholly or partly residential?

Yes

No

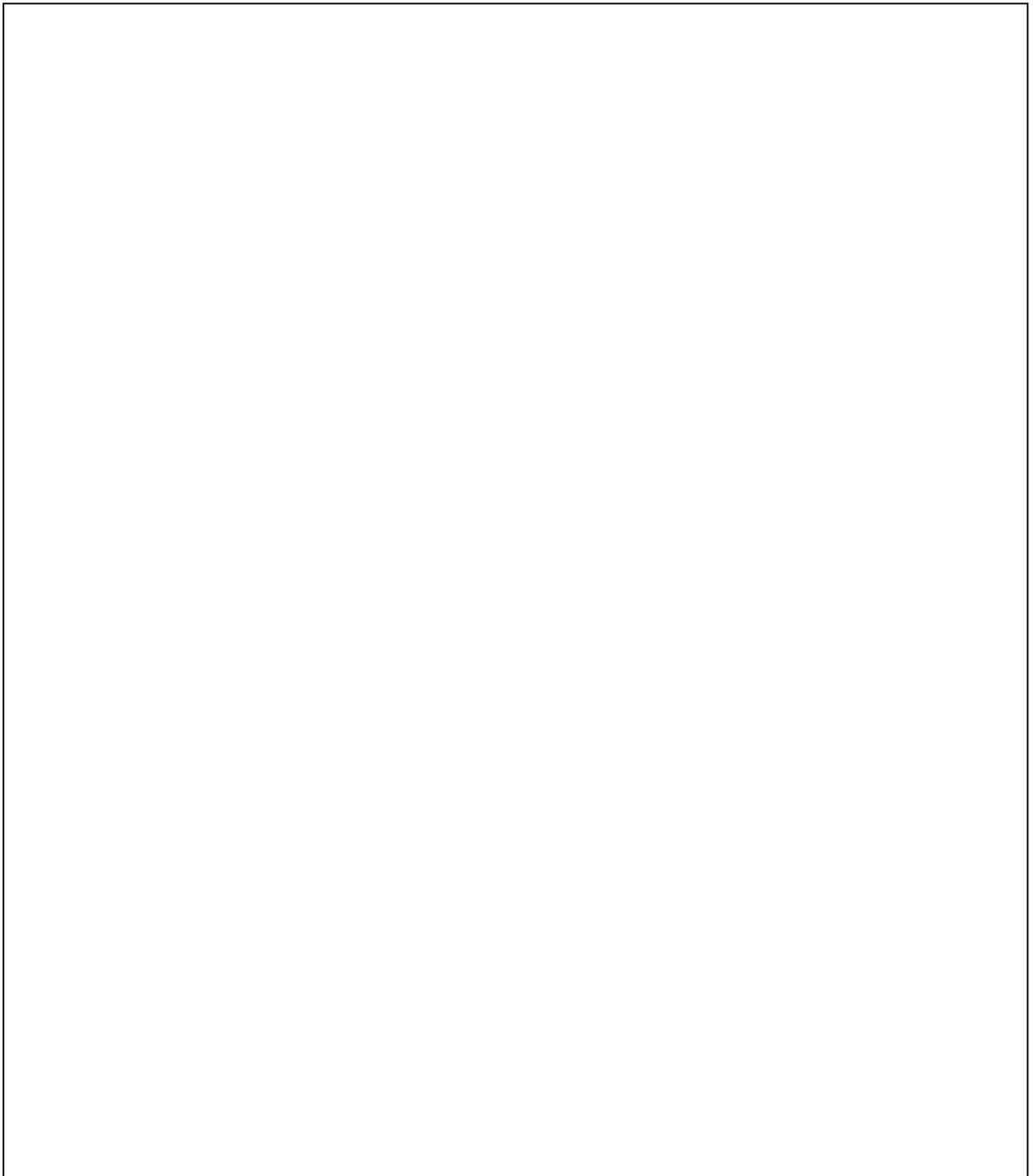
If the property is 'partly' residential (e.g. part commercial / flat above) please provide a brief description below:

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 exactly how the height of the hedge is adversely affecting reasonable enjoyment of the property (e.g. the problems of light loss actually experienced) and how serious this is. It will help your case if you stick to the facts and provide all relevant information to back up the points you are making.

Other issues such as overhanging branches, appearance, root damage and your feelings about the hedge are not covered by the legislation.

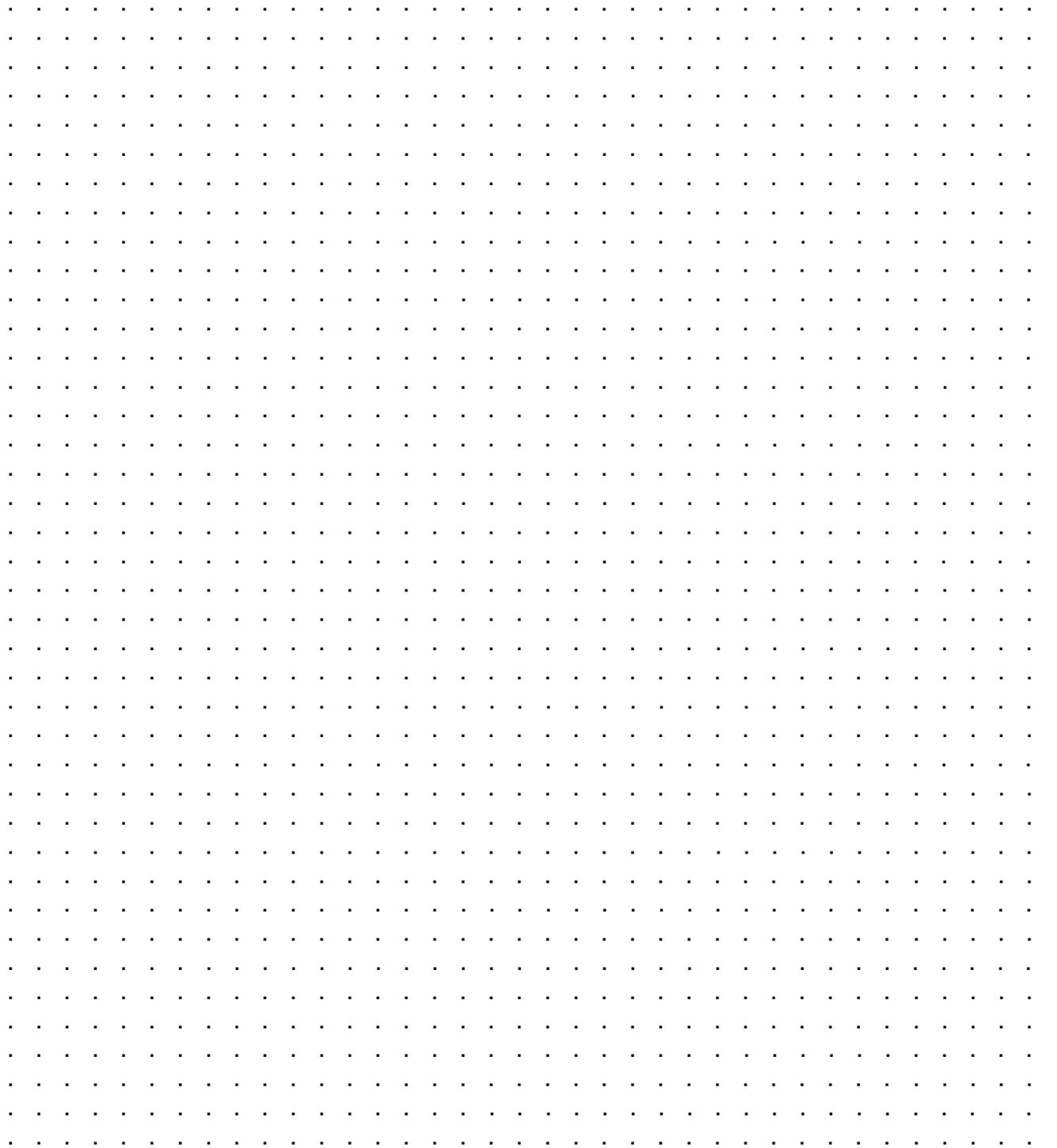
A large, empty rectangular box with a thin black border, intended for the user to provide detailed information about their complaint regarding the hedge's height and its impact on property enjoyment.

Photograph/s

To help the Council understand your situation, please provide clear photographs of the hedge that provide a realistic impression of the location and height of the hedge.

Plan / Sketch

A simple plan or sketch of the location of the hedge in relation to your property, rough boundary lines, and any surrounding properties that may be affected by the hedge (or that are between your property and the hedge). Use the space below or include a separate sheet. **Please provide measurements on the plan marked in metres.**



A large grid of dots for drawing a plan or sketch. The grid consists of 20 columns and 30 rows of small black dots, providing a guide for scale and layout.

4. Previous complaints to the Council

4.1 Has a formal complaint previously been made to the Council about this hedge? (This only relates to previous complaints made after 1st June 2005)

Yes

No

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

Date

Ref
number

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

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

5. Who's who/The parties

5.1 Complainant's contact details

	Title	Forename	Surname
Name	<input type="text"/>	<input type="text"/>	<input type="text"/>
Address	<input type="text"/>		
	<input type="text"/>		
City/Town	<input type="text"/>		

County Postcode

Daytime Telephone 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

Is the complainant the owner or the occupier of the affected property?

Owner / Occupier (delete as appropriate)

5.2 **Address of the property affected by the hedge and name of the person living there, if different to 5.1 (this is for other properties affected by the hedge)**

	Title	Forename	Surname
Name	<input type="text"/>	<input type="text"/>	<input type="text"/>

Address

City/Town

County Postcode

Daytime Telephone No.

Mobile Telephone No.

Fax No.

Email Address

Please list any other properties that are also affected by light loss from the height of hedge:

5.3 Your contact details (if you are an agent or other person acting on behalf of the complainant)

Name	Title	Forename	Surname
	<input type="text"/>	<input type="text"/>	<input type="text"/>
Address	<input type="text"/>		
City/Town	<input type="text"/>		
County	<input type="text"/>	Postcode	<input type="text"/>
Daytime Telephone No.	<input type="text"/>		
Mobile Telephone No.	<input type="text"/>		
Fax No.	<input type="text"/>		
Email Address	<input type="text"/>		

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

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
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5.4 Address of the main property where the hedge is growing and name of person living there, if known

Name	Title	Forename	Surname
	<input type="text"/>	<input type="text"/>	<input type="text"/>
Address or description of location	<input type="text"/>		
City/Town	<input type="text"/>		
County	<input type="text"/>	Postcode	<input type="text"/>
Daytime Telephone No.	<input type="text"/>		
Mobile Telephone No.	<input type="text"/>		
Fax No.	<input type="text"/>		

5.5 Address of any other property where the hedge is growing and name of person living there, if known (if more than one please continue on and attach a separate sheet).

	Title	Forename	Surname
Name	<input type="text"/>	<input type="text"/>	<input type="text"/>
Address or description of location	<input type="text"/>		
City/Town	<input type="text"/>		
County	<input type="text"/>	Postcode	<input type="text"/>
Daytime Telephone No.	<input type="text"/>		
Mobile Telephone No.	<input type="text"/>		
Fax No.	<input type="text"/>		
Email Address	<input type="text"/>		

5.6 Name and address of the person who owns the property where the hedge is growing, if different to 5.4 and if known

	Title	Forename	Surname
Name	<input type="text"/>	<input type="text"/>	<input type="text"/>
Address	<input type="text"/>		
	<input type="text"/>		
City/Town	<input type="text"/>		
County	<input type="text"/>	Postcode	<input type="text"/>
Daytime Telephone No.	<input type="text"/>		
Mobile Telephone No.	<input type="text"/>		
Fax No.	<input type="text"/>		
Email Address	<input type="text"/>		

5.7 Name and address of the person who owns any other property where the hedge is growing, if different to 5.5 and if known (if more than one please continue on and attach a separate sheet).

	Title	Forename	Surname
Name	<input type="text"/>	<input type="text"/>	<input type="text"/>
Address	<input type="text"/>		
	<input type="text"/>		
City/Town	<input type="text"/>		
County	<input type="text"/>	Postcode	<input type="text"/>
Daytime Telephone No.	<input type="text"/>		
Mobile Telephone No.	<input type="text"/>		
Fax No.	<input type="text"/>		
Email Address	<input type="text"/>		

6. Supporting documents

6.1 Have you enclosed the following:

Tick box

A photograph / photographs of the hedge?

A clear location plan of the hedge detailing its position in relation to the affected property and any other surrounding properties that are also affected?
(Measurements in metres)

Copies of correspondence with your neighbour about the hedge?

Copies of any other documents that you mention (please list these separately) including copies of any benefits paid?

7. Sending the complaint

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 £450/ £75 (delete as appropriate)

Tick box

Name

Signature

Date

7.3 POST THIS FORM AND ALL ENCLOSURES TO:

Sheffield City Council.
Environmental Protection Service
5th Floor (North), Howden House, 1 Union Street, Sheffield S1 2SH

 0114 273 4651
 epsadmin@Sheffield.gov.uk

Note: You can e-mail your form to us, which would be helpful, **BUT** a postal copy together with the fee and ALL supporting documents is necessary before we can consider your application.

7.4 Please also send a copy of this form to the people identified in Sections 5.4 - 5.7

Tick the box to show you have done this

You can also download this complaint form from www.sheffield.gov.uk (enter high hedges in search facility)

Sheffield City Council

High Hedges: Guidance notes on completing the complaint form

General notes

You can obtain translations and large print versions of this guidance and the form by telephoning 0114 273 4651.

These guidance notes are to help you fill in the form to make a complaint about a neighboring high hedge. You should also read the leaflet '*High hedges: complaining to the council*'.

It would also help if you could first complete the 'Grounds for Complaint Checklist' that is enclosed with the information pack / available on our website.

Although this may seem like we are requesting a lot of detailed information, consideration of your complaint will be delayed if you do not complete the form properly or do not provide all of the information requested.

If you are still unsure how to answer any of the questions, please contact Sheffield City Council, 5th Floor (North), Howden House, 1 Union Street, Sheffield S1 2SH on 0114 273 4651 or epsadmin@sheffield.gov.uk

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 1

- 12 March 2005 - phoned to ask if we could discuss hedge. Met on 19 March but we couldn't agree a solution;
- 15 April - mediators visited;
- 29 April - met neighbours and mediators. But still couldn't find an 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 would speak to mediator. 2 weeks later still no reply;
- 7 May - wrote to inform neighbour would be complaining to council.

Example 3

- 12 March 2005 - saw neighbour in there garden and asked if we could discuss hedge. Neighbour came round on 19 March. Saw the effect of the hedge for themselves. Sympathetic but unwilling to reduce the hedge as much as we wanted; neighbours willing to try mediation but discovered that neighbour mediation not available in our area. We live too far from the nearest service;
- 23 April - saw neighbour again and told them that, if we couldn't agree a solution, we would make a formal complaint to council. Left it for a couple of weeks then confirmed in writing that we would be going ahead with the complaint.

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.

2. Criteria for making a complaint

Who can complain

- 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 (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.

- 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 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. 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 also provide a photo of the hedge and a plan showing the location of the hedge and surrounding properties.

When drawing your plan, please look at the example below 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.
- Mark on North.
- Provide measurements in metres (m)

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 (see note on section 4 above) and provide relevant measurements (eg size of garden, distance between the hedge and any windows affected). All measurements must be in metres (m).

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 after 1st June 2005. You don't need to tell us about telephone calls or other informal contact with the council about your hedge problems.

5. Who's Who/The Parties

We need all these names and addresses because there are some documents that the law requires us to send to the owner **and** occupier of the land on which the hedge grows. These include our decision on the complaint.

- 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 We need this information because we will have to get in touch with this person to arrange to visit the property so that we can see for ourselves the effect of the hedge.
- 5.3 Complete this section if you are a professional 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. But we cannot send documents to you electronically unless you agree.
- 5.4 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, eg 'Land to rear of 12 to 18 High Street' or 'Park adjoining Main Road'. 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.

5.5 – 5.7

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. 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 England. Copies of title plans and registers held in electronic format can be downloaded in PDF format for [£2] each. The register includes ownership details.

6. Supporting documents

Please make sure 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 -surveyor's report). This will help us to check that we have got everything. If you are submitting this form by email but will be posting supporting documents to us separately, put a reference number or title on them (eg hedge complaint, 12 High Street) so that we can match them up with your complaint.

7. Sending the complaint

You should make your cheque payable to **Sheffield City Council**.

Example letter to send to a neighbour regarding a hedge dispute.

Your Name
Your Address
Your Telephone Number

Today's Date

Your Neighbour's Name and Address

Dear *****

Regarding Your Hedge Located At *****

Following our previous discussions about the above high hedge I wish to confirm the problem that this is causing me and hope we can reach an amicable solution. I would also welcome any comments you may have regarding the reasons the hedge has been left to grow to its current height, and any problems that reducing the height of the hedge would cause you.

I believe the hedge is interfering with my reasonable enjoyment of my property because:

(state reasons below, including a clear statement of how the height of the hedge is causing light loss)

-
-
-

I would be grateful if you could take the following action to resolve this problem:

(clearly state the action/s you would like your neighbour to take to resolve the problem)

-
-
-
-

The Antisocial Behaviour Act 2003, Part 8 relating to High Hedges came into force on 1 June 2005. This gives the Council powers to investigate such complaints, and if the complaint is upheld, to take legal action against the hedge-owner to reduce the height of the hedge. Further information can be gained by contacting Sheffield City Council, Environmental Protection Service on (0114) 2734651, or by visiting their website www.sheffield.gov.uk and typing 'high hedges' into the search facility.

I do hope we can resolve this issue directly and without the need to make a formal complaint to the Council.

I look forward to hearing from you by *** (*insert date- suggest 2 weeks*).

Yours sincerely

Dear

Regarding Your Hedge Located At -

Following our previous discussions about the above high hedge I wish to confirm the problem that this is causing me and hope we can reach an amicable solution. I would also welcome any comments you may have regarding the reasons the hedge has been left to grow to its current height, and any problems that reducing the height of the hedge would cause you.

I believe the hedge is interfering with my reasonable enjoyment of my property because:

-
-
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I would be grateful if you could take the following action to resolve this problem:

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I look forward to hearing from you by

Yours sincerely