

Guidance notes for completing the complaint form: high hedges

General notes

These guidance notes are to help you fill in 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.

1. Contact details

1.1 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. There are some documents that we are required, by law, to send to the owner and occupier of the affected property. These include our decision on the complaint.

1.2 Tick the 'yes' box if you are a professional adviser, relative, friend or other representative.

1.3 Tick the 'yes' box if you prefer to be contacted by e-mail. We cannot send documents to you electronically unless you agree.

2. Property affected by the hedge

2.1 Keep the description short. For example, flat above shops; home and doctors surgery combined. The property must include living quarters otherwise we cannot consider the complaint.

2.2 We need this information because we will have to get in touch with this person to arrange to visit the property that is affected by the hedge.

2.3 This is the person who owns the freehold of the property - not a management company. Your tenancy agreement or lease should have this information. If not, 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.

2.4 You do not have to be the owner of a property affected by a high hedge to make a complaint. But you should let the owner know what you are doing. Guidance notes for completing the complaint form: high hedges.

3. Location of hedge

3.1 We need this information because we will have to get in touch with these people to get their side of things, and to arrange to visit the site where the hedge is growing.

3.2 This will normally be the person you have talked to when you tried to agree a solution to your hedge problems.

3.3 If you are in any doubt about who owns the property, please see the note on question 2.4 above.

4. The hedge

Please also provide a plan showing the location of the hedge and surrounding properties. When drawing your plan, please make sure that you:

- Name all relevant roads
- Locate your house and the property where the hedge is growing. The properties should be numbered or named.
- Mark clearly where the hedge is and how far it extends.

Even if you have ticked all the 'Yes' boxes in this section, it does not necessarily mean that the hedge meets all the legal tests. We still have to make a judgement on whether the hedge as a whole screens out light or gets in the way of someone - or thing - passing through it. That is why we need the photo.

5. Grounds of complaint

It will help if you provide as much information as you can but keep it factual. Concentrate on the hedge and the practical problems that it causes 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 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 include copies of any professional reports you 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 (e.g. size of garden, distance between the hedge and any windows affected). All measurements must be in metres (m) and centimetres (cm).

6. Previous 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

13 November 2004 - phoned to ask if we could discuss hedge; met on 20 November but we couldn't agree a solution; 14 December - mediators visited; held joint meeting but still couldn't find an answer we were both happy with; 4 January 2005 - wrote to inform neighbour would be complaining to council.

Example 2

13 November 2004 - wrote to ask if we could discuss hedge; 2 weeks later still no reply; 4 December 2004 - wrote to ask if would speak to mediator; 2 weeks later still no reply; 18 December 2004 - 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.

7. Checking and sending

Please make sure you have ticked all the boxes. You should make out your cheque to 'Swansea Council'.