



High Hedges Complaint Form

Part 8, Anti-Social Behaviour Act 2003



Development Management
Stratford-on-Avon District Council
Elizabeth House, Church Street, Stratford-upon-Avon CV37 6HX

Telephone 01789 267575
e-mail planning.applications@stratford-dc.gov.uk website www.stratford.gov.uk

If you find the text on this form difficult to read we may be able to supply it in a format better suited to your needs.

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 sent with it and the leaflet "High hedges: complaining to the Council".**

Please use **BLOCK CAPITALS** and **black ink**.

YOU MUST PAY A FEE WHEN YOU SEND IN THIS FORM. The current fee is **£550 or £225 if you are in receipt of a means tested benefit.**

The Council will rely on the information you provide so please make sure it is clear and accurate.

Stratford-on-Avon District Council will use any information that you provide to us as part of the planning process. We do this in the public interest and in the exercise of our official authority as a local planning authority.

Whilst we will not publish on our website any documents submitted in the course of your request for Pre-Application Planning Advice (including the advice provided) we will make the information provided available to local Ward Members to assist and may also share information with our external consultants and other agencies including consultees and the Planning Inspectorate. We do this in the performance of the tasks that we carry out in the public interest and in the exercise of our official authority

The Environmental Information Regulations (EIR) 2004 requires us to make recorded information available to the public if requested. When responding to an EIR request we will endeavour to redact signatures, telephone numbers, email addresses, sensitive information (e.g. relating to health or finance) and gratuitous comments (e.g. comments which we believe may be considered defamatory or offensive) as appropriate from the documents you submitted and advice provided.

Your personal data will be held in accordance with our Retention and Destruction Policy which is available on our website.

To discuss your right to request access to, rectification, restriction, portability or erasure of your personal data, or to object to the way that we process your personal data please visit www.stratford.gov.uk/privacy or contact our Data Protection Officer by post at our Elizabeth House office, by email at data.protection@stratford-dc.gov.uk or by telephone on our mainline number 01789 267 575.

In addition to our own complaints procedure, you also have the right to make a complaint to the Information Commissioner's Office.

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 Approached neighbour/hedge owner and asked to discuss problem. Yes No

1.2 Asked neighbour/hedge owner to try mediation. Yes No

1.3 Informed neighbour/hedge owner of intention to complain to Council. Yes No

If you have not tried all the above steps, the Council might not proceed with your complaint.

1.4 Anything else. Yes No

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? 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.

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 say how serious they are. It will save time and help your case if you stick to the facts and provide all relevant information to back up the points you are making. To help the Council understand your situation, **please provide a photo of the hedge and a plan or sketch of both the site where the hedge is growing and the property it is affecting, with the hedge clearly marked on it.**

4. Previous complaints to the Council

4.1 Has a formal complaint been made to the Council before about this hedge? 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 (DD/MM/YYYY): / / Reference No:

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

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

5. Who's who/The parties

5.1 Complainant's contact details

Name	<input type="text"/>
Address	<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>
Postcode	<input type="text"/>
Daytime Telephone No.	<input type="text"/>
Mobile Telephone No.	<input type="text"/>
Email Address	<input type="text"/>

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

Name	<input type="text"/>
Address	<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>
Postcode	<input type="text"/>
Daytime Telephone No.	<input type="text"/>
Mobile Telephone No.	<input type="text"/>
Email Address	<input type="text"/>

5.1 Contact details of Agent or other person acting on behalf of the complainant (if any)

Name	<input type="text"/>
Address	<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>
Postcode	<input type="text"/>
Daytime Telephone No.	<input type="text"/>
Mobile Telephone No.	<input type="text"/>
Email Address	<input type="text"/>

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

Name	<input type="text"/>
Address	<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>
Postcode	<input type="text"/>
Daytime Telephone No.	<input type="text"/>
Mobile Telephone No.	<input type="text"/>
Email Address	<input type="text"/>

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

Name

Address

Postcode

Daytime Telephone No.

Mobile Telephone No.

Email Address

6. Supporting documents

6.1 Have you enclosed the following:

A photo of the hedge

Yes No

A location plan of the hedge and surrounding properties

Yes No

Copies of correspondence with your neighbour about the hedge

Yes No

Copies of any other documents that you mention
(please list these separately)

Yes No

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.

Yes

7.2 I enclose the fee of £550

Yes

OR I enclose the fee of £225 if in receipt of a means tested benefit

Yes

Signed

PRINT NAME

Date (DD/MM/YYYY)

7.3 POST OR EMAIL THIS FORM AND ALL ENCLOSURES TO:

Development Management, Stratford-on-Avon District Council, Elizabeth House,
Church Street, Stratford-upon-Avon, Warwicks CV37 6HX.

Telephone: 01789 267575. Email: planning.applications@stratford-dc.gov.uk.

7.4 Please also send a copy of this form to the people identified in Section 5 above and tick the box to show you have done this

Yes

You can also download this complaint form from our website at www.stratford.gov.uk



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GUIDANCE NOTES FOR COMPLETING THE COMPLAINT FORM

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.

If you are still unsure how to answer any of the questions, please telephone the **Contact Centre on 01789 260340** or email planning.applications@stratford-dc.gov.uk.

You can obtain translations and large print versions of this guidance and the form through the Council.

Data Protection (GDPR)

Stratford-on-Avon District Council will use any information that you provide to us as part of the planning process. We do this in the public interest and in the exercise of our official authority as a local planning authority.

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Section 1: Attempts to resolve the complaint

Please keep the descriptions brief but say how you made the approach (eg face to face, phone, letter) and what the result was.

Example 1

- 12 March 2005 – phoned neighbours [*Mr X of 12 High Street*] 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 [*Mr X*] and mediators. But still couldn't find an answer we were both happy with;
- on 14 May – wrote to inform neighbours [*Mr X*] would be complaining to council.

Example 2

- 12 March 2005 – wrote to neighbours [*Mr X of 12 High Street*] to ask if we could discuss hedge. 2 weeks later still no reply;
- 9 April – wrote to ask if he would speak to mediator. 2 weeks later still no reply;
- 7 May – wrote to inform neighbours [*Mr X*] would be complaining to council.

Example 3

- 12 March 2005 – saw neighbours [*Mr X of 12 High Street*] in their garden and asked if we could discuss hedge. Neighbours [*Mr X*] 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 [*Mr X*] 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 neighbours [*Mr X*] 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.

Section 2: Criteria for making a complaint

Who can complain

- Q2.6 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.

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

Section 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 property where the hedge is growing, and to the person who lives there if they are different people.

Concentrate on the hedge and the disadvantages you experience because of its height.

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.

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

We only need to know about formal complaints, made under the high hedges Part of the Anti-social Behaviour Act 2003. You don't need to tell us about telephone calls or other informal contact with the Council about your hedge problems.

Section 5: Who's who/The parties

We need all these names and addresses because there are some documents that we are required, by law, to send 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 e-mail. We cannot send documents to you electronically unless you agree.

Q5.2 You need to complete this section only if the complainant does not live in the property affected by the hedge. We need this information because we will have to get in touch with the occupier to arrange to visit the property so that we can see for ourselves the effect of the hedge.

Q5.3 Complete this section if you are a professional adviser, relative, friend or other representative. You will be our main contact on all matters relating to this complaint. We will direct all queries and correspondence to you. 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.

Q5.4 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 Tower 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.

Q5.5 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.

Section 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, Joe Bloggs, 12 High Street) so that we can match them up with your complaint.

Section 7: Sending the complaint

You have to pay the fee and you should make out your cheque to **Stratford-on-Avon District Council**.

The current fee is **£550** or **£225** if you are in receipt of a means tested benefit. If you are in receipt of a means tested benefit, you will also need to submit a High Hedges Benefits Declaration form.



High Hedges Benefit Declaration

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Elizabeth House, Church Street, Stratford-upon-Avon CV37 6HX

Telephone 01789 267575
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If you find the text on this form difficult to read we may be able to supply it in a format better suited to your needs.

Please complete this form if you receive Housing Benefit, Local Council Tax Reduction or Universal Credit.

Stratford-on-Avon District Council will use any information that you provide to us as part of the planning process. We do this in the public interest and in the exercise of our official authority as a local planning authority.

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1. Your details

(PLEASE COMPLETE IN BLOCK CAPITALS AND DELETE AS APPROPRIATE WHEREVER YOU SEE *)

Name	<input type="text"/>		
Address	<input type="text"/>		
	<input type="text"/>		
	<input type="text"/>		
Postcode	<input type="text"/>		
Daytime Telephone No.	<input type="text"/>		
Mobile Telephone No.	<input type="text"/>		
Email Address	<input type="text"/>		
Date of Birth	<input type="text"/>	Age	<input type="text"/> years

1.2 **Are you the owner of the property?**

Yes No

If you have answered "No" please state the nature of your interest in the property

1.3 **How long have you lived in your present home?**

years

and

months

2. Financial Information about you

2.1 Are you receiving (and entitled to receive)

Housing Benefit

Yes No

Local Council Tax Reduction

Yes No

Universal Credit

Yes No

If you receive Universal Credit please fill in the authorisation below so that we can contact the local Department of Work and Pensions office for confirmation. Please also send in a copy of your latest award to us.

AUTHORISATION

I authorise the Department of Work and Pensions to confirm on request by Stratford-on-Avon District Council that I now receive Universal Credit.

Signed

PRINT NAME

Date (DD/MM/YYYY)

National Insurance number

2.2 Are you receiving (and entitled to receive)

Housing Benefit

Yes No

Local Council Tax Reduction

Yes No

If you receive Housing Benefit or Council Tax Benefit please fill in the authorisation below so that we can contact the Council's benefit department for confirmation. Please also send in your latest award letter to us (we will return it upon receipt).

AUTHORISATION

For the purpose of this application I give my consent to Stratford-on-Avon District Council to refer information provided by me for the purposes of my application(s) for Housing Benefit*/ Local Council Tax Reduction.

Signed

PRINT NAME

Date (DD/MM/YYYY)

Housing Benefit reference:

Local Council Tax Reduction reference

3. DECLARATION

WARNING: If you knowingly make a false statement you may be liable to prosecution

3.1 I declare that to the best of my knowledge, information and belief the information I have given above is correct.

Signed

PRINT NAME

Date (DD/MM/YYYY)

4. WHAT TO DO NOW

Please return the completed form and copies of relevant benefit award letters to:

Development Management
Stratford-on-Avon District Council
Elizabeth House, Church Street, Stratford-upon-Avon CV37 6HX

If you have any queries please telephone: **01789 260340** during office hours