

Q2.5 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](http://www.landregistry.gov.uk)) or can be obtained from the Land Registry Weymouth Office at Melcombe Court, 1 Cumberland Drive, Weymouth DT4 9TT. 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](http://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 3: 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. We have given four spaces for you to complete but if you have additional information then please include it on a separate piece of paper and attach it to this form.

Some examples of actions taken which the Council would consider could look as follows

#### Example 1

Date	What your actions were?	What was the outcome?
12 March 2005	Phoned neighbour [Mr Bloggs 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.	
1 June	Met neighbour [Mr Bloggs] and mediators.	But still couldn't find an answer we were both happy with.
8 June	Wrote to inform neighbour [Mr Bloggs] that I would be complaining to council.	

#### Example 2

Date	What your actions were?	What was the outcome?
12 March 2005	Wrote to neighbour [Mr Bloggs 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 neighbour [Mr Bloggs] that I 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. The Council will require that at least three attempts have been made in the past six months and one of those is since 1st June 2005.

### Section 4: Grounds of complaint

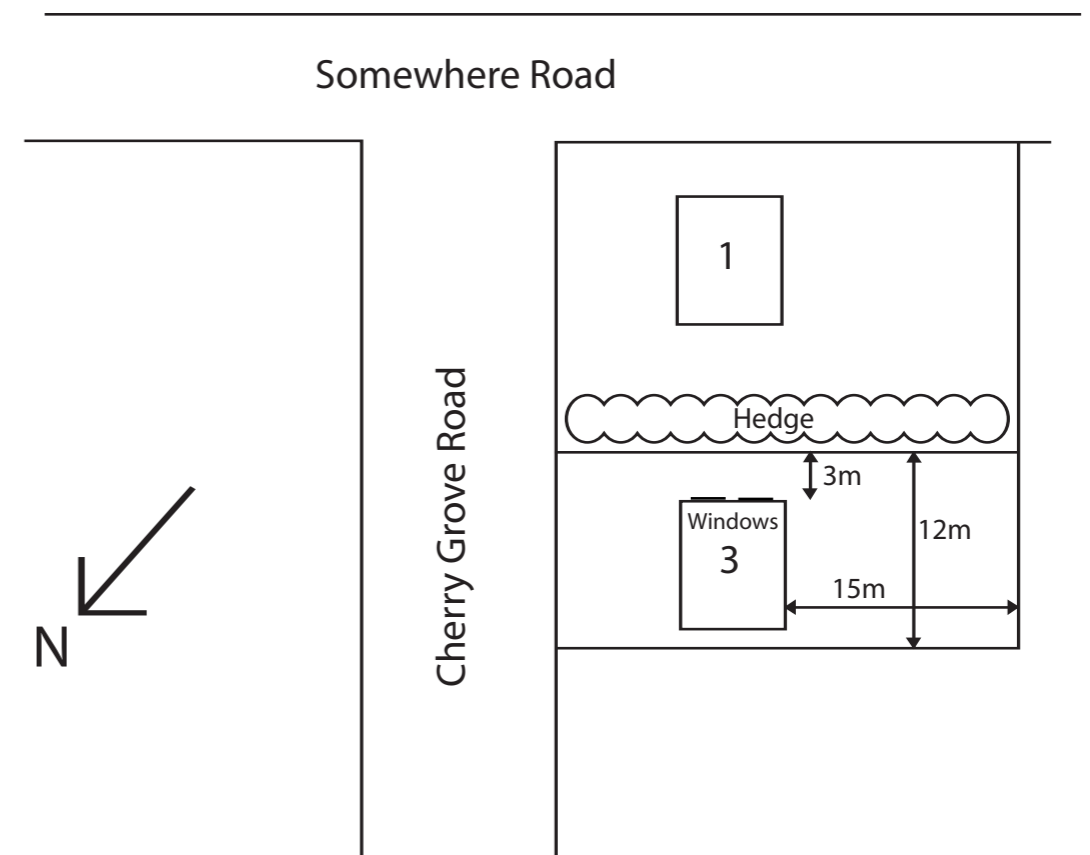
It will help if you provide as much information as you can but keep it factual. Remember that a copy of this form will be sent to the person who owns the property where the hedge is growing, and to the person who lives there if they are different people.

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 5: 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 6: Supporting documents

Please make sure you have ticked all the relevant boxes.

If you have included any additional documentation, 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. Remember that if you are submitting this form by email, we can not register it until we have received the appropriate fee.

If you are supplying evidence for a reduced fee rate then please include proof of one of the following:

- Housing Benefits
  - Notification Letter on headed paper
  - Bank statement with proof of last months benefit payment
- Income Support/Guarantee Pensions Credit
  - Income Support Book
  - Correspondence from DWP
- Council Tax Main Benefit
  - Council Tax Bill
  - Letter from Council Tax Benefit
- Job Seekers Income Based
  - Award Letter
  - Stamped letter from DWP or Job Centre
- Incapacity Benefit\*
  - Incapacity Benefit Book
  - Correspondence from DWP
- Severe Disablement Allowance\*
  - Severe Disablement Allowance Book
  - Correspondence from DWP
- Disability Living/Attendance Allowance\*
  - Disability Living Allowance Book
  - Correspondence from DWP
- Asylum Seekers
  - Letter of notification from official body

\*These benefits are for individual claimants only. Therefore partners/children may still have to pay if not in receipt of any of the above benefits.

The discounted fee for those who qualify will be £250.00





You may qualify for a discounted fee if you have carried out formal mediation with your neighbour/hedge owner. The maximum discount will be £250.00

You will need to supply evidence of formal mediation which can include the following:

- A letter from a professional mediation company.
- Any correspondence.
- Proof of fee paid for service.

## Section 7: Sending the complaint

Please complete the declaration and send your form complete with your fee made payable to Southampton City Council to: The Tree Team, Southampton City Council, Civic Centre, Southampton SO14 7LY or email your form to: [trees@southampton.gov.uk](mailto:trees@southampton.gov.uk)

All written information is available, on request, in larger print, Braille   on audio tape  and on disk . It is also available in other languages. Please contact 023 8083 4029.



# 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 contact The Tree Team on (023) 8083 4029 or [trees@southampton.gov.uk](mailto:trees@southampton.gov.uk)

## Section 1: Criteria for making a complaint - Who can complain

Q1.2 The Hillier manual of Trees & Shrubs describes evergreen as remaining green during winter and semi-evergreen as normally evergreen but losing some or all of its leaves in a cold winter or cold area. Hedges made up of species such as beech, copper beech, oak, hornbeam etc would not be considered evergreen or semi-evergreen.

Q1.6 The property does not have to be wholly residential but must include separate living accommodation otherwise we cannot consider the complaint.

Q1.7 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.

## Section 2: Address Details for the Complainant and Hedge Owner

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.

Q2.1 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.

Q2.2 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.

Q2.3 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.

Q2.4 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.