

**REPORT TO:** Executive Board Sub Committee  
**DATE:** 6 November 2008  
**REPORTING OFFICER:** Strategic Director - Environment  
**SUBJECT:** High Hedge Complaints  
**WARDS:** Borough wide

## **1.0 PURPOSE OF THE REPORT**

**1.1** The purpose of this report is to recommend increasing the fee for making a formal High Hedge complaint to the Council.

## **2.0 RECOMMENDATION: That**

**2.1** **The fee is increased from £135 to £150 in line with the minimum householder planning application fee.**

## **3.0 SUPPORTING INFORMATION**

**3.1** The High Hedge Act (part of the Anti-social Behaviour Act 2003) came into effect on 1 June 2005. This Act is to enable neighbours to make a formal complaint to the Council if they are unable to resolve the matter themselves.

**3.2** To meet the required criteria set out in the Act, a valid complaint must relate to a hedge that is at least two metres high and contain at least two or more evergreen trees. Fees are charged to the complainant who must provide detailed evidence that they have tried to resolve the matter with the owner.

**3.3** The fee provides a service, which is likely to benefit an individual (the complainant) rather than the community in general.

**3.4** A review of the charges made by other local authorities has been undertaken. This data is not readily available so particular consideration was given to other Councils (namely Bexley, Lincoln & Shepway) that set the fee in line with the cost of householder applications in 2005. They have since increased their fee in line with the cost of planning applications to £150.

**3.5** Neighbouring Councils Warrington, St Helens and Liverpool charge a considerably higher fee.

**3.6** Since the High Hedge Act came into effect there have been over 150 enquiries leading to over 30 complaints.

**3.7** It is recommended that the fee shall be maintained at the same rate as householder planning applications.

**3.8** It is also recommended that the Strategic Director - Environment continues to have the authority to waive the charge in part or whole when appropriate in individual cases of severe hardship.

#### **4.0 POLICY IMPLICATIONS**

**4.1** None.

#### **5.0 OTHER IMPLICATIONS**

**5.1** To ensure that formal complaints meet the criteria of the High Hedge Act.

#### **6.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES**

**6.1 Children and Young People in Halton** – none.

**6.2 Employment, Learning and Skills in Halton** – none.

**6.3 A Healthy Halton** – none.

**6.4 A Safer Halton:** To ensure that vexatious or frivolous complaints are deterred.

**6.5 Halton's Urban Renewal** – none.

#### **7.0 RISK ANALYSIS**

**7.1** There are no risks/opportunities associated with the proposed fee increase.

#### **8.0 EQUALITY AND DIVERSITY ISSUES**

**8.1** There are no equality or diversity issues as each complaint is considered on an individual basis within the criteria of the High Hedge Act 2005.

#### **9.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972**

**9.1** None.