

13 June 2008

Chief executives of local authorities in England

Our Ref: 10/9/10

High hedges - Anti-social Behaviour Act 2003

Since the introduction of Part 8 of the Anti-social Behaviour Act 2003 in June 2005, local authorities in England have dealt with many complaints about the adverse effect of hedges on neighbouring property. Anecdotal evidence suggests that the number of complaints made has now fallen and that some councils have not received a complaint for over a year.

This is very encouraging but it can mean that with such infrequent involvement, officers may not be as familiar with the nuances of the legislation and guidance as they would be if they were dealing with these cases on a more regular basis. I am therefore taking the opportunity to provide feedback on some of the more frequent areas of uncertainty that have been identified through enquiries to Communities and Local Government and cases that have come before the Planning Inspectorate on appeal.

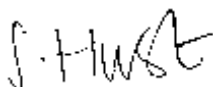
I attach as an annex to this letter a note which I hope will help to clarify these matters and help to ensure that high hedge complaints are dealt with consistently. These notes should be considered as a supplement to the existing guidance contained in *High Hedges Complaints: Prevention and Cure* and the Frequently Asked Questions which are both available on our website at www.communities.gov.uk/treesandhedges. A copy of the notes will be posted on this website.

I would be grateful if you would ensure that this letter is directed to those who deal with high hedge complaints and enquiries.

We are committed to review Part 8 of the Anti-social Behaviour Act 2003 in 2010, after it has been in operation for five years. At that time we will look at the need for any changes in the legislation and the supporting guidance.

If your officers have any queries they can email us at: hedges@communities.gsi.gov.uk.

Yours faithfully



Stephanie Hurst

Deputy Director, Planning Resources and Environmental Protection