
HIGH HEDGES – PROPOSED FEES

1 SUMMARY

- 1.1 This report seeks Members' views on the appropriate level of fee which the Council should charge for dealing with complaints about High Hedges under the provisions of Part 8 of the Anti-Social Behaviour Act 2003.

2 INTRODUCTION

- 2.1 The Anti-Social Behaviour Act 2003 included a provision giving local authorities power to deal with complaints about High Hedges which are having an adverse effect on a neighbour's enjoyment of his or her domestic property.
- 2.2 The Government has now published the Anti-social Behaviour Act 2003 (Commencement No.5) (England) Order 2005, which confirms that the new arrangements will come into force on 1st June 2005.
- 2.3 The Government has carefully considered the responses to a consultation document published last year and has concluded that local authorities should be free to set their own fees for dealing with complaints about High Hedges. It is therefore necessary for the Council to consider the appropriate fee to charge for this service prior to the new procedure coming into force.

3 ISSUES TO CONSIDER

- 3.1 When the Council considered its views on the High Hedges procedures, it was concluded that the fee that was suggested by the Government as appropriate would not be adequate to cover the council's costs.
- 3.2 The fee suggested by the Government was to a maximum of £320. However, in considering the Government's proposals, the Council concluded that a more realistic fee would be £450. It must be borne in mind that while the reporting of a complaint to the Council will be a last resort for dealing with disputes over High Hedges, the charge made by the Council should not be set at a level likely to discourage residents from being able reasonably to have their case considered.
- 3.3 In reaching a conclusion about the maximum fee to be charged, it was also considered that a reduced fee should be charged for residents in receipt of benefits or in receipt of pensions. It is suggested, therefore, that, in such circumstances, a reduced charge of £100 would be appropriate.

4 RISK IMPLICATIONS

- 4.1 The number of complaints likely to be received by the Council is far from certain, but it is important that the fee for dealing with complaints is set at a level likely to ensure costs recovery. It is considered that a fee of £450 is likely to ensure this is the case. A timesheet log will be maintained of officer time spent on dealing with complaints to enable an accurate assessment to be made of the costs of delivering the service and to enable adjustments to be made to the fee charged as appropriate.

5 CRIME AND DISORDER IMPLICATIONS

- 5.1 The new powers to deal with High Hedges originate from the Anti-social Behaviour Act 2003.

6 ENVIRONMENTAL IMPLICATIONS

- 6.1 There is little doubt that in some circumstances high hedges can reduce residential amenity by blocking sunlight, blocking views, etc.

7 RESOURCE IMPLICATIONS

- 7.1 It is intended that High Hedge complaints will be dealt with in the Planning Division. It is anticipated that no additional officer resource will be required to process complaints, but this will need to be kept under review dependent on the number of complaints received.

8 RECOMMENDATION

- 8.1 It is proposed that the Council **RESOLVES**, that subject to Members' views, the fee for processing a High Hedges complaint under the provisions of Part 8 of the Anti-social Behaviour Act 2003 be £450 with a concessionary charge of £100 for those on benefits or in receipt of pensions.

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Background Papers:-

None

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