



Belfast City Council

Report to:	Parks and Leisure Committee
Subject:	High Hedges Act Implementation Review
Date:	9th May, 2013
Reporting Officer:	Andrew Hassard, Director of Parks and Leisure, ext 3400
Contact Officer:	Alan McHaffie, Senior Woodland and Recreation Officer, ext 3433

1	Relevant Background Information
	<p>A High Hedges Bill was introduced in the NI Assembly on 26th April 2010 and the Bill received Royal Assent on the 3 May 2011 becoming the High Hedges Act (Northern Ireland) 2011.</p> <p>In summary the Act provides a means of redress for people who are suffering loss of amenity because of a high hedge on a neighbour's land acting as a barrier to light and provides district councils with certain powers to deal with complaints about high hedges. Not all types of hedge are covered by the legislation.</p> <p>At the Council meeting on 4th March 2013, the following amendment to the Parks and Leisure Committee minutes of 14th February, under the heading of 'High Hedges Act' – Implementation Review was agreed:</p> <p><i>'That a letter be forwarded to the Minister responsible in DOE enquiring as to what steps could be taken within the legislation to address the problem of High Hedges at properties for which no owner can be identified'.</i></p> <p>Following the Council meeting, officers' have discussed the issue with the Councillor and reviewed the legislative provisions regarding answers.</p>
2	Key Issues
	<p>On receipt of an informal enquiry from a member of the public regarding a nuisance hedge, the current position is that the Council in the first instance will offer factual information by way of an information pack which gives all the necessary help, guidance, letter templates and contact details for the complainant.</p>

	<p>The information pack includes the steps to take if the complainant is unsure of who owns the property where the nuisance hedge is situated.</p> <p>In this situation the complainant can call at the Land and Property Services offices which are located in the city centre and for a fee of £8 they can receive a copy of the map for the property in question and information on ownership. The Council has been informed by Land and Property Services that ownership of property can be confirmed at their offices.</p> <p>From April 2012 to date, the Council has not received any calls or correspondence from the public regarding any difficulty in sourcing ownership of property where a high hedge is causing a nuisance. We have successfully dealt with 131 complaints and all but one of these was dealt with informally.</p> <p>In light of this information we are suggesting that it is not necessary at this time to write to the Minister in relation to this issue.</p>
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3	Resource Implications
	<p><u>Financial</u></p> <p>There are no financial resources implications associated with this report.</p> <p><u>Human Resources</u></p> <p>There are no human resources implications associated with this report.</p> <p><u>Asset and Other Implications</u></p> <p>There are no asset or other implications associated with this report.</p>

4	Equality and Good Relations Implications
	<p>DoE NI has undertaken an equality impact screening of the High Hedges Bill and High Hedges fee regulations concluding that “there is no adverse impact for any of the nine categories listed under Section 75”.</p> <p>The High Hedges legislation was presented to the Council’s equality consultative forum and it was suggested that the High Hedges process was reviewed after a 12 month period. From the analysis of the enquiries/complaints that we have received we do not feel that there is any adverse impact on any of the nine categories under Section 75.</p>

5	Recommendation
	<p>The Committee is requested to note the contents of this report and to reconsider the issue of writing to the Minister at this time.</p>

6	Decision Tracking
	None

7	Key to Abbreviation
	DoE NI – Department of Environment Northern Ireland

8	Documents Attached
	None