

BULLETIN REPORT

Name of Committee: Communities, Housing and Infrastructure

Date of Meeting: 19th March 2015

Title of Report: High Hedge (Scotland) Act 2013

Lead Officer: [REDACTED]

Author of Report: [REDACTED]

Summary of Purpose of Report

The committee requested at their meeting held on 13th march 2014 that applications to Aberdeen City Council for the serving of High Hedge notices under the High Hedge (Scotland) Act 2013 be monitored. Officers were required to monitor the level of applications submitted, including the reasons for non submission, and submit a report in twelve months time.

Since the Act came into force in April 2014 we have received 2-3 informal enquiries per month.

Three formal applications for the serving of a High Hedge Notice have been submitted. One application was dismissed as the applicant had not complied with their duty to take reasonable steps to resolve the matter prior to applying for the serving of a notice. A further application was dismissed as the application was deemed to be frivolous as the row of trees in question were not considered to be a hedge. The third application is on-going.

Reasons identified for non-submission by enquirers include;

- Confirmation that the barrier in question does not constitute a hedge;
- An unwillingness to comply with section 3(1) of the Act. Section 3(1) relates to the pre-application requirements whereby the applicant must take reasonable steps to resolve the matter prior to making an application;
- Pre-application efforts have resulted in an amicable agreement between parties negating the need for a formal application
- The fee associated with making an application (Only one enquirer has clearly indicated that the fee associated with the application has acted as a barrier to making an application).

The level of applications and reasons for non-submission will continue to be monitored.