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Assembly

Research and Library Service Briefing Note

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High Hedge and Single Tree Complaints

The following summarises information received from each of the councils in relation to the number of high hedge complaints and single tree complaints received. The time frame varies from council to council, as some have only just started recording the complaints recently. Some of the councils were unable to provide numbers as they do not keep any record of high hedge and single tree complaints in their database. The main reason for this being that they have no statutory requirement to do so, and such issues are considered to be a civil matter that the councils will not get involved in. The councils will offer advice, but not necessarily record the complaint.

It is worth noting that for those councils who were able to provide numbers:

- They are rough estimates, as not all complaints regarding high hedges and single trees are consistently recorded as there is no requirement for this.
- Some councils could not give separate data for single tree complaints as their records did not differentiate between high hedge complaints and single trees. In such circumstances, tree complaints and anything else similar, may be recorded under 'hedges'.

- Some councils commented that while they receive a certain number of complaints about hedges, they are not all solely related to their impact on light, other issues may include site lines, access, responsibility for facing etc.
- Some of the councils have noted a slight increase in the number of complaints since the High Hedged consultation commenced. One of the main reasons for this, mentioned by some of the councils, is that the consultation made people aware that they could contact their local council in relation to these issues, even though councils can only provide an advisory role at this stage.

Council	High Hedge and Single Tree Complaints
Antrim	Environmental Health and the Parks department both receive complaints. Unfortunately there are no records kept. In general, enquiries/complaints are on the increase. Roughly from April 2010 to now they have received 12. These include tree complaints as well.
Ards	Currently no legislation in force, therefore it is a civil matter that the Council does not deal with, nor do they take note of complaints. They will do once the legislation is passed.
Armagh	No legislation, considered to be a civil matter, therefore the Council does not get involved, nor keep any record.
Ballymena	Don't keep record as it is a civil matter.
Ballymoney	Between January 2008 and September 2010 the Council has recorded 5 complaints in total- 2 related to single trees, 2 referred to rows of trees, and 1 was a hedgerow.
Banbridge	Environmental Health informed that they have no record of such complaints, they only offer advice, but roughly they would receive more complaints about trees than hedges. Since the High Hedge consultation they have received an increase to around 6 to 8 queries about trees.
Belfast	According to the Environmental Health Manager, the Council receives complaints about both, but does not have a code for them on their database, therefore cannot provide statistics. He has advised that having spoken with the Principal EHO and

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	<p>the appropriate officer from Business Administration; they receive around 4 enquiries a month. This is a ball park figure due to the absence of recorded statistics. However, the Council aims to amend their systems for the introduction of the legislation when complaints will be coded and reported on monthly.</p>
Carrickfergus	<p>9 received from 1/3/10 to 30/9/10 (the only period that such enquires have been recorded from). Unfortunately the Council was unable to differentiate between high hedges and single tree enquiries.</p>
Castlereagh	<p>No legislation therefore the Council does not deal with such complaints – not recorded in database.</p>
Coleraine	<p>From the start of 2010 to present the Council has received a total of 14 complaints regarding 'high hedges'.</p> <p>These can be broken down as follows: 5 related to hedges 9 related to trees</p>
Cookstown	<p>Have received 15 high hedge complaints this year. More enquiries this year so far compared to others. Can't differentiate between high hedge complaints and single trees complaints from their records.</p>
Craigavon	<p>Have received 14 complaints about high hedges this year and 8 last year</p> <p>Complaints are mostly for hedges, but received 1 last week about a single tree.</p>
Derry	<p>Have recorded 25 complaints in the last 4 years: 5 related to single trees and 20 related to hedges.</p> <p>There is a possibility that the Council has received twice this number, but because there is no statutory requirement to record such complaints, some are either not recorded at all, or</p>

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	<p>have been lost as there is no code for them as yet.</p> <p>This will change when legislation is enforced.</p>
Down	No legislation-seen as a civil matter that the Council does not get involved with, therefore no records.
Dungannon and South Tyrone	Do receive complaints in relation to hedges and trees but do not keep a record of complaints of this nature. Offer advice only as it is a civil matter. Also receive queries in relation to the facing of hedges and who is responsible, and single trees in relation to the potential danger of falling.
Fermanagh	Don't deal with such complaints – civil matter and unfortunately don't have records
Larne	No records, but Environmental Health Officers estimate they receive around 6-12 complaints a year in relation to high hedges and single trees.
Limavady	Have received 6 complaints about high/overgrown hedges since 2007- 4 of them in the last financial year. 0 complaints about single trees.
Lisburn	Have no official record, but receive around 2/3 per week in the last year . Not able to differentiate between hedge complaints and single tree complaints. Also receive complaints at their landscape depot, but have no records from this.
Magherafelt	For 2010 received 3 high hedge complaints . This may be under represented as at times advice is given and the complaint not recorded due to there not being a statutory requirement.
Moyle	Received 1 in 2010 . Generally receive very few in past years.
Newry and Mourne	No legislation at present, a civil matter therefore does not deal with them and have no records.
Newtownabbey	Have not received any, hasn't been an issue in the past. Councillors may receive complaints but have not brought them

Council	High Hedge and Single Tree Complaints
	to the Council as they do not deal with them, more of a civil matter. Did receive enquiries during the consultation, but in relation to the legislation, not complaints as such.
North Down	<p>The council does get a number of inquiries regarding high hedges and single trees during the year, being most prevalent when legislation-Part 8 of the Anti-social Behaviour Act 2003- was introduced in England and Wales in 2005, when a consultation was issued for NI 2005, and when the recent consultation on the High Hedges Bill was released in 2010.</p> <p>The Council does not currently have a statutory remit to deal with high hedges and no statutory remit for individual trees has, so far, been suggested. Therefore, inquiries relating to these issues have been dealt with by offering advice on the removal of branches and roots which traverse land boundaries, and the ability of the complainant to seek redress through civil action. No records are kept of inquiries, but the Council's principle Environmental Health Officer estimated at least 20-30 enquires a year relating to trees and hedges. Many of these inquiries relate to single trees and or deciduous hedges that are not covered by the remit of the proposed legislation.</p>
Omagh	Do receive a number of complaints on High Hedged and Trees, but unfortunately have not got a record of them.
Strabane	Since January 2008 to present, the council has received 6 complaints. Unfortunately the Council can't differentiate between high hedge complaints and single trees, as all recorded under same category.