SUBMISSION FROM DONALD CRAIG

1. As a person who suffers the effect of a high hedge I welcome the opportunity of expressing my views to the committee.

2. It is, perhaps, unfortunate that the bill is restricted to dealing with high hedges and not the more general problem of what can best be described as "wilderness gardens" which are prevalent in many areas and a source of annoyance to many.

3. Turning to the question of "high hedges" I am of the opinion that no hedge should exceed 8 feet in height, at any time, as this would allow neighbours to trim the branches on their side without too much trouble and still maintain any privacy sought by the hedges owner. However height should not be the only criteria as hedges which encroach onto footpaths, roads etc. can restrict use and can affect drivers line of sight. This should be covered by the legislation.

4. The problem who should be responsible for maintaining the hedge may not be straightforward. In the majority of cases it should be the occupier but in some tenancy agreements the owner may be responsible e.g. blocks of flats, sheltered housing etc.

5. Consideration should also be given to whether or not the same rules should apply where a mixture of commercial / industrial and domestic properties are involved.

6. The bill should be broad enough to cover individual trees which can in some cases be a bigger nuisance than hedges.

7. The Local Authority should be empowered to take action where a hedge owner refuses or ignores a written request from a neighbour to maintain his hedge at a height determined by the bill without the neighbour having to resort to legal action. In such cases the Local Authority should write to the hedge owner giving him say 60 days to comply with the legislation. If the hedge owner still takes no action the Local Authority should arrange for the hedge to be cut and bill him accordingly together with a fixed penalty of say £50 to cover expenses.