1. On behalf of Livingston Village Community Council committee we submit written evidence as requested in the letter of 12th October 2012 from the office of Angela Constance.

2. These are the collected comments from the committee members not as a result of a blanket survey throughout our Community Council area and thus cannot be taken as fully representative of each and every resident from that area. We reviewed the document entitled High Hedges(Scotland) Bill – Policy Memorandum

3. Using the given 8 questions we respond as indicated.

**Do you agree with the definition of a high hedge as set out in the Bill?**

4. Paras 40 to 46 of memorandum. Yes

**Do you consider that other forms of vegetation should be covered by the provisions of the Bill?**

5. Again paras 40 to 46. No

**Comments on proposed approach to dispute resolution.**

6. Paras 38 to 39 & 47 to 52 & 56 to 65. We support that local authorities take powers to address hedge disputes rather than the alternative court based solution of paras 100 to 106. We also support that there is a dismissal of application route for items that could be deemed to be “time wasting”. We ask that the fourteen day period of para 60 be reconsidered for a longer notice time to allow some time for hedge owner last minute resolution action.

**Comments on enforcement procedures proposed under a high hedge notice.**

7. Paras 73 to 80 & 81 to 83. We ask if the notice compliance period for action raised in para 77 could be prescribed as X weeks or is it to be left to the official raising the order to quantify this by calendar dates?

**Comments on proposed fees and costs.**

8. Paras 53 to 55 & 84 to 90. Would it be more relevant to a potential applicant to know when applying what the likely application fee amount would be. An indicative fee cost should thus be noted within the application documentation. We agree that the authority should attempt by all means to recover enforcement costs.

**Are there any aspects of the systems used in jurisdictions which should be included?**
9. We do not have an adequate understanding of what is required for this point so add no comments.

**Are there any aspects of this Bill which would impact positively or negatively on equality of opportunity?**

10. Paras 111 to 114. We consider this a neutral issue with regard to equal opportunities so no qualifying remarks.

**Any other issues?**

11. We would reinforce that any local authority shall be guided to be fair and reasonable at all stages throughout the process from application to conclusion.

Brian D Johnstone  
Chair  
Livingston Village Community Council