In relation to the request for submissions as to the operation of the High Hedges (Scotland) Act 2013 we wish to make the following submissions.

Thus far we have been instructed on only one occasion, our client experiencing difficulties with “High Hedges”. The difficulty has not yet been resolved and we are in correspondence with the relevant local authority.

One observation we would make at this stage is that the definition of a High Hedge as set out in the Act may require to be revisited. The relevant local authority thus far has referred to the offending body of trees as a “plantation” and thereafter as “woodland”.

Our client is somewhat perplexed as his reading of the Act suggests that the legislation should be available to him to resolve his problem with restricted light reaching his property. The offending vegetation causing the barrier to light consists of a row of two or more trees or shrubs and rises to a height more than two metres above ground level and most certainly forms a barrier to light.

The Oxford English Dictionary gives, inter alia, the definition of woodlands as a “large areas of ancient woodland”. The area our client complains of cannot under any circumstances be described as “ancient”. Likewise, the dictionary definition of “plantation” is not applicable. However the use of the words “plantation” and “woodland” appears to be causing some difficulty with the relevant local authority accepting that the High Hedges (Scotland) Act 2013 applies/should apply.

Should the Committee wish any further information we can provide, subject to our client providing specific consent, copies of correspondence we have forwarded to the relevant local authority on his behalf.

We trust our limited submissions, at this stage, are of some assistance to the Committee.

Yours faithfully,

J Myles & Co