Local Government and Communities Committee

Post-Legislative Scrutiny of the High Hedges (Scotland) Act 2013

Submission from Nancy Clunie

Thank you for allowing individuals to contribute to this discussion. I recently had to speak to my council, East Renfrewshire, about bringing about an order against my neighbour.

Due to the experience I had I found the legislation very restrictive. I live in a new housing estate and my neighbour to the back had 3 trees – each over 70 feet high. Following the guidance it was decided by East Renfrewshire Council that my neighbour was in breach of the law. To overcome this he chopped down the middle tree. All this means is that the other two will continue to grow and when they meet another one will go, leaving a tree that will be over 80 feet in height and over 20 feet wide. I believe that here needs to be a height restriction on individual trees that border properties as they can be as wide as hedges.

I was surprised that the cost of the action had to be met by myself, even although it was found in my favour. The Council did decide to refund me £330 because, in their words, they had not needed to serve the order. I am unsure what my £110 fee was for. Again I think this needs to change. I can understand the need for a fee but surely the person in the wrong should pay.

I look forward to reading of the decisions made by the Committee.

Yours faithfully

Nancy Clunie