Based on 4 years of trying to deal with a neighbour, my principal concerns in relation to the Act are the following:

1. The use of a definition of "hedge", at least by Aberdeen City Council, would seem to undermine the intention of the Act resulting in a situation where the negative impact of five 40 foot leylandii in a small city centre garden are left unchallenged and any efforts to remedy the situation by concerned and affected neighbours are effectively unsupported by council officials. The process aimed to assist becomes redundant at an early stage of the proceedings.

2. There would appear to be no effective means of appealing a decision made by a council official and to do so in a way that is transparent and equitable.

3. The current lack of clarity of definition supporting the Act effectively results in the onus resting upon the complainant to prove the case without reasonable guidance from the Act; this can leave the individual unprotected from the indifference of any offending neighbour and the lack of willingness to engage on the part of an apparently reluctant local authority.

Mark Lough