Local Government and Communities Committee

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

Submission from Dr Martyn Ward

Although the High Hedges (Scotland) Act 2013 is a step in the right direction, its impact does not extend to households that are threatened by adjacent trees. Some years after we moved into our house in 1976, the neighbouring landowners filled a space between our boundary wall and a parallel wall approximately 10m away with closely-planted pine trees. These trees have never been properly managed, and are now both huge (approximately 15-20m high) and top-heavy, some about 10m from our house. These trees severely restrict our access to light and constantly pepper our house with pine needles and other debris, blocking guttering and littering our paths and garden. During winter storms, which are increasing in frequency, these trees bend and sway alarmingly, making for a very scary time for ourselves and similarly affected neighbours. It is only a matter of time before one or more of these trees are blown down onto our houses, causing severe damage and probably severe injury or worse.

We have made many verbal pleas to the landowner over the years for these trees to be either removed or much reduced in height, but our pleas have been ignored even though we offered to help fund the work. The local Community Council has made submissions to Angus Council on our behalf, but the responses are largely bogged down with hedge/plantation/wood semantics with no regard for health and safety concerns.

I should like to make a very simple plea to your committee. I strongly believe that when there is a threat to human health and life, there should be a legal requirement for that threat to be removed by the owners of the offending trees, especially when those trees have been planted after the purchase of the affected house. I am sure there are many like us who are frustrated when told that the current High Hedges (Scotland) Act 2013 is inapplicable to our situation, and now would be an excellent time to modify the act to alleviate the worry that many households experience when they are threatened by neighbours' trees.

Dr Martyn Ward