26 June 2018

Dear Bob

Following publication of the Committee’s post-legislative scrutiny report and recommendations on the High Hedges (Scotland) Act 2013 in September 2017, I thought it would be helpful to write and provide the Committee with an update on work being taken forward.

The Scottish Government welcomed the overall conclusion of the Committee that the Act has been beneficial for some of those affected by high hedges but further work was needed to improve its effectiveness. I was particularly struck by the conclusion that the Act was not currently operating in the ‘spirit’ that was intended and that some people were still unable to enjoy their homes as a result of nuisance high hedges. Engagement between the Scottish Government and Scothedge, the leading group representing those affected by problem high hedges, has led to Scothedge providing proposals on how the current guidance could be updated to improve the operation of the Act and meet the recommendations of the Committee.

I have therefore been considering all of this with a view to making the Act work better in practice for the benefit of all. I have instructed my officials to discuss the recommendations with CoSLA so that I can assess the impact any changes would have for local authorities. As part of that work we have conducted a short survey of local authorities to gather their experiences of the Act and will bring together a small group of key local authorities to consider revisions to the current guidance and any additional actions that can be taken forward in response to the Committee’s recommendations.
Finally, I have asked my officials to discuss the Committee’s recommendations with the Chair of the Scottish Tree Officers Group (STOG) as I am also keen to understand their perspective on these.

I anticipate that most of this engagement will take place over the summer and will revert to the Committee in the Autumn to update you on progress and proposals for moving forward.

Kind regards

KEVIN STEWART