
REPORT TO:	ENVIRONMENTAL & DEVELOPMENT SERVICES	AGENDA ITEM: 7
DATE OF MEETING:	11 th NOVEMBER, 2004	CATEGORY: DELEGATED
REPORT FROM:	HIGH HEDGES WORKING PANEL	OPEN
MEMBERS' CONTACT POINT:	COUNCILLOR. B. WHYMAN	DOC: s:\cent_serv\committee reports\environmental & development\11 nov 04\high hedges.doc+
SUBJECT:	HIGH HEDGES LEGISLATION	REF:
WARD(S) AFFECTED:	ALL	TERMS OF REFERENCE:

1.0 Recommendations

- 1.1 That the High Hedges Legislation and associated regulations be implemented by the Environmental Health Department.
- 1.2 That no fee be charged for investigating complaints under this legislation.
- 1.3 That staffing resources be kept under review until the full impact of the legislation is known.

2.0 Purpose of Report

- 2.1 The purpose of this report is to provide Members with a report to Committee on the Members Working Panel established for the High Hedges Legislation associated regulations and implications for the Council.

3.0 Detail

- 3.1 Part 8 of the Anti-Social Behaviour Act 2003 is new legislation to deal with high hedges affecting households. The Working Panel took the views of the Head of Planning and the Director of Community Services on:-

- where the most appropriate place for implementing the legislation should lie within the Council
- whether a fee should be charged for investigating alleged nuisance from high hedges
- the resource implications of implementing legislation

Head of Planning

- (1) The Head of Planning was of the opinion that the new legislation had more in common with existing Environmental Health nuisance complaints than planning legislation.
- (2) That there should be a charge for investigating complaints
- (3) That at least a half of an additional post would be required to deal with the impact of the regulations made and the legislation.

Director of Community Services

- (1) The Director of Community Services was of the opinion that the legislation should lie within Planning who have experience of right to light, trees and planning applications relating to boundary heights.
- (2) That if the view was taken the new regulations had more in common with nuisance legislation, then no charge should be made in line with the investigation of any other current nuisance complaints within Environmental Health.
- (3) That resources would need to be looked at but it was not prudent at this time to employ an additional member of staff to deal with the legislation until the full impact was known.
- (4) The Director informed the Panel that all Councils within the country had been contacted as to where responsibility for the new legislation was going to lie. 30 Councils had contacted the Council to state that they would be placing the new regulations under the Planning Department.

3.2 Having heard the views of the Officers, the members of the Panel decided that the High Hedges Legislation and associated regulations be implemented by the Environmental Health Department.

3.3 The Director of Community Services could call a further panel meeting to review the recommendations when the full impact is known.

4.0 Financial Implications

4.1 Training will need to be identified for staff. Additional staff may be required at a future date.