



High Hedges (Scotland) Act 2013

2013 asp 6

High hedge notices

8 High hedge notice

- (1) Where a relevant local authority decides under section 6(5)(b) that action should be taken, it must issue a high hedge notice as soon as is reasonably practicable after making that decision.
- (2) A high hedge notice is a notice—
 - (a) identifying the high hedge which is the subject of the notice and the neighbouring land,
 - (b) identifying the domestic property in relation to which the authority has decided under section 6(5)(a) that an adverse effect exists,
 - (c) stating the date on which the notice is to take effect,
 - (d) stating the initial action that is to be taken by the owner of the neighbouring land and the compliance period for that action,
 - (e) stating any preventative action that is to be taken by the owner of the neighbouring land,
 - (f) informing the recipient that there is a right to appeal under section 12(2)(a),
 - (g) informing the recipient that the authority is entitled to authorise a person to take action under section 22 where there is a failure to comply with the notice and that the authority may recover the expenses of that action, and
 - (h) informing the recipient that it is an offence under section 24 intentionally to prevent or obstruct a person authorised to take action from acting in accordance with this Act.
- (3) The date referred to in subsection (2)(c) must be at least 28 days after the date on which the notice is given.
- (4) The authority must—
 - (a) give the persons mentioned in subsection (5) a copy of the high hedge notice, and
 - (b) notify those persons of the reasons for its decision.
- (5) Those persons are—
 - (a) the applicant, and

Status: This is the original version (as it was originally enacted).

- (b) every owner and occupier of the neighbouring land.
- (6) Where the high hedge to which a high hedge notice relates is situated on land which has been designated as a National Park, the authority must give the National Park authority for the National Park a copy of the high hedge notice.