

---

STATUTORY INSTRUMENTS

---

**2005 No. 710 (C.31)**

**ANTI-SOCIAL BEHAVIOUR, ENGLAND**

**HIGH HEDGES**

**The Anti-social Behaviour Act 2003  
(Commencement No. 5) (England) Order 2005**

*Made - - - - 14th March 2005*

The Secretary of State, in exercise of the powers conferred upon him by section 93(3) of the Anti-social Behaviour Act 2003(1) hereby makes the following Order:

**Citation**

1. This Order may be cited as the Anti-social Behaviour Act 2003 (Commencement No. 5) (England) Order 2005.

**Provisions coming into force in England on 1st June 2005**

2. To the extent to which it has not already been commenced(2), Part 8 of the Anti-social Behaviour Act 2003 (high hedges) shall come into force, in relation to complaints about high hedges situated in England on 1st June 2005.

Signed by authority of the First Secretary of State

14th March 2005

*Phil Hope*  
Parliamentary Under Secretary of State Office of  
the Deputy Prime Minister

---

(1) 2003 c. 38.

(2) Sections 71(7) and 72 were commenced on 1st October 2004 by SI2004/2168, art 5.

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

---

## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order brings into force on 1st June 2005, in relation to England, Part 8 of the Anti-social Behaviour Act 2003 (other than sections 71(7) and 72 of that Part which are already in force).

Part 8 gives local authorities the power to deal with complaints about high hedges which are having an adverse effect on a neighbour's enjoyment of his or her domestic property (other than complaints about the effect of the roots of a high hedge). "High hedge" is defined in section 66 and "domestic property" in section 67.

## NOTE AS TO EARLIER COMMENCEMENT ORDERS

*(This note is not part of the Order)*

The following provisions of the Act have been brought into force by commencement orders made before the date of this Order:

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Sections 1 to 11	20th January 2004	2003/3300
Sections 12 to 13 as to England	30th June 2004	2004/1502
Section 13 as to Wales	30th September 2004	2004/2557
Section 14 as to England	30th June 2004	2004/1502
Section 14 as to Wales	30th September 2004	2004/2557
Sections 15 to 16 as to England	30th June 2004	2004/1502
Section 16 as to Wales	30th September 2004	2004/2557
Section 17 as to England	30th June 2004	2004/1502
Section 17 as to Wales	30th September 2004	2004/2557
Section 18	27th February 2004	2003/3300
Sections 19 to 22 as to England	27th February 2004	2003/3300
Section 23	27th February 2004	2003/3300
Section 24 as to England	27th February 2004	2003/3300
Section 25 to 29	27th February 2004	2003/3300
Sections 30 to 38	20th January 2004	2003/3300
Section 39 (partially)	20th January 2004	2003/3300
Section 39 (partially)	30th April 2004	2003/3300
Sections 40 to 45 as to England	31st March 2004	2004/690
Sections 40 to 45 as to Wales	31st March 2004	2004/999

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 46	31st March 2004	2004/690
Section 47 as to England	31st March 2004	2004/690
Section 47 as to Wales	31st March 2004	2004/999
Section 48 as to England (partially)	31st March 2004	2004/690
Section 48 as to Wales	31st March 2004	2004/999
Section 49 as to England (partially)	31st March 2004	2004/690
Section 49 as to Wales	31st March 2004	2004/999
Section 50 as to England (partially)	31st March 2004	2004/690
Section 50 as to Wales	31st March 2004	2004/999
Section 51 as to England (partially)	31st March 2004	2004/690
Section 51 as to Wales	31st March 2004	2004/999
Section 52 as to England (partially)	31st March 2004	2004/690
Section 52 as to Wales	31st March 2004	2004/999
Section 53	20th January 2004	2003/3300
Section 54	31st March 2004	2004/690
Sections 55 and 56 as to England	31st March 2004	2004/690
Sections 55 and 56 as to Wales	31st March 2004	2004/999
Sections 57 to 59	20th January 2004	2003/3300
Sections 60 to 64	27th February 2004	2003/3300
Sections 65 to 71 as to Wales	31st December 2004	2004/3238
Section 71 as to England (partially)	1st October 2004	2004/2168
Section 72 as to England	1st October 2004	2004/2168
Section 72 to 84 as to Wales	31st December 2004	2004/3238
Section 85 (partially)	20th January 2004	2003/3300
Section 85 (partially)	27th February 2004	2003/3300
Section 85 (partially)	31st March 2004	2004/690
Section 85 (partially)	30th September 2004	2004/2168
Section 85 (partially)	1st October 2004	2004/2168
Section 86 (partially)	20th January 2004	2003/3300
Section 86 (partially)	31st March 2004	2004/690

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 87	20th January 2004	<a href="#">2003/3300</a>
Section 88 (partially)	30th September 2004	<a href="#">2004/2168</a>
Section 89 (partially)	20th January 2004	<a href="#">2003/3300</a>
Section 89 (partially)	31st March 2004	<a href="#">2004/690</a>
Section 90	31st July 2004	<a href="#">2004/1502</a>
Section 91 as to England	30th June 2004	<a href="#">2004/1502</a>
Section 91 as to Wales	30th September 2004	<a href="#">2004/2557</a>
Section 92 (partially)	20th January 2004	<a href="#">2003/3300</a>
Section 92 (partially)	31st March 2004	<a href="#">2004/690</a>
Section 92 as to England (partially)	30th June 2004	<a href="#">2004/1502</a>
Section 92 (partially)	30th September 2004	<a href="#">2004/2168</a>
Schedule 1 as to England	30th June 2004	<a href="#">2004/1502</a>
Schedule 1 as to Wales (partially)	30th September 2004	<a href="#">2004/2557</a>
Schedule 2 (partially)	30th September 2004	<a href="#">2004/2168</a>
Schedule 3 (partially)	20th January 2004	<a href="#">2003/3300</a>
Schedule 3 (partially)	31st March 2004	<a href="#">2004/690</a>
Schedule 3 as to England (partially)	30th June 2004	<a href="#">2004/1502</a>
Schedule 3 (partially)	30th September 2004	<a href="#">2004/2168</a>