
WELSH STATUTORY INSTRUMENTS

2004 No. 3241 (W.283)

LAND, WALES
ANTI-SOCIAL BEHAVIOUR, WALES

The High Hedges (Fees) (Wales) Regulations 2004

Made - - - - 8 December 2004

Coming into force - - 31 December 2004

The National Assembly for Wales, in exercise of the power conferred upon it by section 68(7)(b) of the Anti-social Behaviour Act 2003 (“the Act”)(1), hereby makes the following Regulations:

Citation, commencement and application

1.—(1) These Regulations may be cited as the High Hedges (Fees) (Wales) Regulations 2004 and come into force on 31 December 2004.

(2) These Regulations apply to complaints made, in relation to hedges situated in Wales(2), under section 68 of the Act to a relevant authority(3) on or after the date on which these Regulations come into force.

Prescribed maximum amount

2. The fee determined by a relevant authority under section 68(1)(b) of the Act must not exceed £320.

(1) 2003 c. 38.

(2) See section 66 of the Act for the meaning of “high hedge”.

(3) Section 65(5) of the Act defines the “relevant authority” as the local authority in whose area the land, on which the high hedge is situated, lies. Section 82 of the Act defines “local authority”, in relation to Wales, as the county or county borough council.

Status: This is the original version (as it was originally made).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

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(4).

8 December 2004

D. Elis-Thomas
The Presiding Officer of the National Assembly

EXPLANATORY NOTE

(This note is not part of the Regulations)

Part 8 of the Anti-social Behaviour Act 2003 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 property.

A complaint may be made by the owner or occupier of a domestic property if that person's reasonable enjoyment of the property is being adversely affected by the height of a hedge situated on land owned or occupied by another person.

A complaint must be made to the local authority in whose area the land on which the hedge is situated lies and must be accompanied by a fee determined by the local authority (subject to a maximum amount prescribed in regulations made, in relation to hedges situated in Wales, by the National Assembly for Wales).

These Regulations prescribe that maximum amount.