

HIGH HEDGES (SCOTLAND) ACT 2013

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Meaning of “high hedge”

Section 1 – Meaning of “high hedge”

4. This section defines a “high hedge” as being one which is formed wholly or mainly by a row of two or more trees or shrubs which exceed two metres in height and which forms a barrier to light.
5. Subsection (2), however, makes it clear that the density of the hedge is relevant. It provides that a hedge is not to be regarded as forming a barrier to light when the row of trees or shrubs contains gaps, which significantly reduce its overall effect as a barrier to light at heights of over two metres.
6. Subsection (3) makes it clear that the roots of the hedge are not relevant.