



2011 CHAPTER 21

Complaints procedure

Fees

4.—(1) The Department shall by regulations prescribe the maximum fee which may be determined by a council under section 3(1)(b).

(2) A fee received by a council under section 3(1)(b)—

- (a) must be refunded by it where subsection (3) applies; and
- (b) may be refunded by it in such other circumstances and to such extent as it may determine.

(3) This subsection applies where—

- (a) a fee is paid to the council under section 3(1)(b) in connection with the making of a complaint to which this Act applies;
- (b) a remedial notice is issued by, or on behalf of, the council in respect of the complaint; and
- (c) the remedial notice takes effect.

(4) Regulations may make provision, in relation to a case where subsection (3) applies, for the payment to the council by any person who is an occupier or owner of the neighbouring land of a fee of such amount (if any) as the council may determine.

(5) Regulations under subsection (4) may in particular—

- (a) provide for the fee not to exceed such amount as may be prescribed by the regulations;
- (b) provide that, where two or more persons are liable to pay the fee, those persons are jointly and severally liable;

Changes to legislation: There are currently no known outstanding effects for the High Hedges Act (Northern Ireland) 2011, Section 4. (See end of Document for details)

- (c) provide for the fee to be refunded in such circumstances or to such extent as may be prescribed by, or determined in accordance with, the regulations.

Commencement Information

- I1** S. 4(1) in operation at 31.1.2012 for specified purposes and at 31.3.2012 in so far as not already in operation by [S.R. 2012/20, art. 2, Sch.](#)
- I2** S. 4(2)(3) in operation at 31.3.2012 by [S.R. 2012/20, art. 2](#)
- I3** S. 4(4) in operation at 31.1.2012 for specified purposes and at 31.3.2012 in so far as not already in operation by [S.R. 2012/20, art. 2, Sch.](#)
- I4** S. 4(5) in operation at 31.3.2012 by [S.R. 2012/20, art. 2](#)

Changes to legislation:

There are currently no known outstanding effects for the High Hedges Act (Northern Ireland) 2011, Section 4.