

*These notes refer to the High Hedges Act (Northern Ireland)
2011 (c.21) which received Royal Assent on 3 May 2011*

High Hedges Act (Northern Ireland) 2011

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Section 7 - Appeals against remedial notices and other decisions of councils

This section provides the power for a complainant or the owner/occupier of neighbouring land to appeal against the issuing, withdrawal or relaxation of the requirements of a remedial notice. Appeals should be made to the Northern Ireland Valuation Tribunal and an appeal can be made by every person who is a complainant in relation to the notice and every person who is the owner or occupier of the neighbouring land.

A complainant may appeal against the decision of a council, where the council has decided that the height of a hedge is not adversely affecting the complainant's reasonable enjoyment of their domestic property or that no action should be taken to remedy the adverse effect. Appeals must be made within 28 days of the relevant date or a later time as allowed by the Northern Ireland Valuation Tribunal. The effect of a remedial notice or withdrawing or relaxing of a remedial notice will be postponed pending the outcome of an appeal.

This section also provides a power for the Northern Ireland Valuation Tribunal Rules of Procedure to be amended with respect to the procedures required to be put in place to enable the Tribunal to process High Hedge appeals, and appeal fees to be set and other ancillary matters.