Nuisance High Hedges

Consultation Document and Questionnaire

August 2005
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1.0 INTRODUCTION

1.1 The purpose of this consultation paper and accompanying questionnaire is to gather information about the scale and geographical spread of nuisance high hedges in Northern Ireland. A nuisance high hedge is defined as ‘a hedge growing on neighbouring land which, because of its height\(^1\), is adversely affecting someone’s enjoyment of their home or garden’.

1.2 In recent years a number of local politicians have called on the Department to take action in relation to nuisance high hedges. A small number of complaints have also been received by the Planning Service directly from members of the public.

1.3 The Department sympathises with the plight of those adversely affected by a neighbour’s high hedge but at present it does not have sufficient information on which to base an informed case for Government intervention by way of legislation, nor to develop the form which that intervention should take. For example, are there a large number of cases relative to the number of properties and population of Northern Ireland and are they widespread in every district council area? What resources will be required to address the problem? It was for this reason that in 2004 the then Minister, Angela Smith, agreed to initiate a public consultation to more accurately identify the number of nuisance high hedges and their geographical spread. This paper fulfils that commitment.

1.4 Although the Planning Service is responsible for carrying out this consultation, nuisance high hedges – as part of the natural and not the built environment – do not and are unlikely to fall within the remit of the planning system. In England and Wales responsibility for administering controls on nuisance high hedges has been allocated to local government.

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\(^1\) For the purposes of this consultation, the hedge causing problems must measure more than 2 metres from ground level.
2.0 THE PROBLEM

2.1 A well maintained hedge can be an attractive feature in a garden, providing privacy and quiet for garden owners and a habitat for wildlife such as insects, small birds and mammals. The Department does not want to discourage or restrict the planting or growth of hedges, which in most cases are beneficial. Yet while one person may value the privacy and quiet offered by a high hedge, a neighbour, on the other side of the boundary, may feel differently.

2.2 The problems caused by nuisance high hedges vary from case to case and cover a wide range of issues. Such hedges, however, mainly affect domestic homes and gardens, and are usually on or close to a boundary between neighbouring properties.

2.3 Conflict tends to arise where the owner of the hedge is unresponsive to requests from a neighbour for it to be reduced in height. This can lead to complaints from those living on the other side of the boundary, relating to a perceived reduction in light, the loss of visual amenity, the worsening of soil conditions, or a general feeling of oppression due to the disproportionate size of the hedge in relation to a neighbouring garden.

2.4 If a hedge owner is unwilling to recognise their neighbour’s concerns and negotiate a compromise, there is currently little the person affected by the hedge can do to obtain relief. Common law rights entitle people only to cut back overhanging branches to the boundary line; they do not allow them to reduce the height of a neighbouring hedge.

2.5 The most common species that give rise to concern are coniferous and other evergreen species including, but not exclusively, leylandii. While leylandii and, particularly in Northern Ireland, Castlewellan Gold are widely used for domestic hedging (because of their speed of growth, hardiness and relative cheapness), many other species are grown. Most of the plants used in high hedges are also grown individually or in groups as ornamental trees, but these are less likely to cause the problems associated with a continuous, dense, high boundary hedge.

2.6 In industrial and agricultural locations, leylandii and similar hedges are often used to provide screening from visual intrusion and for wind breaks. The value of such hedges is widely recognised and, for this reason, they do not generally give cause for complaint. Indeed, the Department of Agriculture and Rural Development encourages farmers to plant new hedges of mixed native species with at least five native woody species planted throughout each 30m length of hedge. It does not grant aid the planting of ornamental species and considers that these should never be planted in the open countryside. The Roads Service replaces hedges lost through road widening and realignment schemes.
2.7 In March 2004, in an attempt to address concerns over nuisance high hedges, the Environment and Heritage Service produced a leaflet entitled ‘Choosing your Garden Hedge’\(^2\). By providing practical information on how to select the right garden hedge, this leaflet was intended to discourage the general public from planting fast growing species in inappropriate settings and thereby reduce the number of problem cases arising in the future.

2.8 The Department, however, acknowledges that this advice is of little use where hedges are already too high, or where someone plants a fast growing species without regard to the impact upon the neighbouring property, or does so maliciously.

\(^2\) Available online at [www.ehsni.gov.uk/pubs/publications/hedges.pdf](http://www.ehsni.gov.uk/pubs/publications/hedges.pdf). To read this document you will need Adobe Acrobat Reader, which can be downloaded from [www.adobe.com](http://www.adobe.com). Further information and guidance on how to choose an appropriate hedge can be found on the Office of the Deputy Prime Minister website at [www.odpm.gov.uk/treesandhedges](http://www.odpm.gov.uk/treesandhedges).
3.0 THE POSITION ELSEWHERE

3.1 In England and Wales the problems caused by high boundary hedges have led to the introduction of new powers enabling local authorities, as a last resort, to intervene in hedge disputes which neighbours have been unable to resolve. These powers are contained in Part 8 of the Anti-Social Behaviour Act 2003, which did not extend to Scotland or Northern Ireland, and were brought into operation from 1 June 2005.

3.2 The Scottish Executive consulted on high hedges in January 2000. Following the outcome of this consultation, Scottish Ministers indicated that they supported in principle the need for a statutory remedy of last resort for people unable to resolve disputes about high hedges. However, owing to other legislative priorities, there are no plans for the Scottish Executive to introduce a Bill on high hedges in the current Parliament.

3.3 In the Republic of Ireland, there are no measures in place to control nuisance high hedges and the Department of the Environment, Heritage and Local Government has no current plans to either consult on, or legislate for, this issue.
4.0 APPROACH

4.1 The questionnaire that accompanies this consultation paper is designed to help us gather information on the extent and nature of problems caused by nuisance high hedges in Northern Ireland with a view to establishing whether Government intervention is necessary.

4.2 Most of the questions are based on the criteria which hedges must satisfy before a complaint can be investigated by local authorities in England and Wales under the system put in place to implement Part 8 of the Anti-Social Behaviour Act 2003. These criteria are that:

- the complaint must relate to a ‘high hedge’, which is defined in the Act as ‘so much of a barrier to light or access as is formed wholly or predominantly by a line of two or more evergreen or semi-evergreen trees or shrubs and rises to a height of more than two metres above ground level’;

- the hedge must be on land that is owned by someone other than the complainant;

- the hedge must be affecting a domestic property;

- the complaint must be made on the grounds that the height of the hedge is adversely affecting the reasonable enjoyment of the domestic property in question; and

- the complaint must be brought by the owner or occupier of that property.

4.3 To enable us to undertake an initial assessment of the impact of nuisance hedges on householders, business and the environment, we have included some questions that are not directly related to the criteria listed in paragraph 4.2.

4.4 Findings from the questionnaire will enable us to judge how many nuisance high hedge cases would be ‘actionable’ if a system similar to that in England and Wales were introduced in Northern Ireland3. They will also be used in the preparation of a regulatory impact assessment which will enable the Minister to determine the way forward.

4.5 Should these findings show that legislative proposals to deal with nuisance high hedges are indeed required, a policy consultation paper on proposed legislation is expected to be published before Christmas 2005.

3 It should, however, be pointed out that any controls on high hedges that might be introduced as a result of this consultation will not necessarily mirror those that are in place elsewhere.
4.6 To assist you in completing the attached questionnaire, the following pages provide detailed guidance on the issues that you should consider when responding to each individual question.
5.0 QUESTIONNAIRE

5.1 ABOUT THE HEDGE

Q1 Do you have concerns about a neighbour’s high hedge?

This questionnaire is designed to gather information about hedges that, because of their height, are spoiling someone’s enjoyment of their home or garden. If you are troubled by a high hedge that is growing on neighbouring land, please use this questionnaire to describe the hedge and explain how it impacts on you. If, on the other hand, the hedge causing problems is growing on your own land, please do not proceed any further. We cannot consider complaints about hedges that are growing on land owned or occupied by the person making the complaint.

Q2 Is the hedge – or the portion of it that is causing problems – made up of a line of 2 or more trees or shrubs?

For the purposes of this consultation, a hedge consists of a line of two or more trees or shrubs. Single trees and shrubs do not constitute a hedge, whatever their size.

The two or more trees or shrubs do not have to form a straight line. As long as they are roughly in line, they may be considered as a hedge. Groups of trees, copses or small woodlands are unlikely to meet this definition – unless they are bounded by a row of trees, i.e. at least two of the outer trees are roughly in line.

Q3 Is the problem hedge evergreen, semi-evergreen or deciduous?

For the purposes of this consultation, ‘evergreen’ is defined as a tree, shrub or plant having foliage that persists and remains green all year round.

‘Semi-evergreen’, on the other hand, means that the hedge retains some live foliage throughout the year (depending on geographical location, this can include privet).

‘Deciduous’ trees and shrubs are those that lose their foliage for part of the year. Beech is included in this definition, for although it may retain some foliage for most of the year, this is brown and dead.

You should note that, in England and Wales, complaints can currently only be brought against predominantly evergreen and semi-evergreen hedges. This means that, although mixed hedges containing some deciduous species may fall within the scope of the system, complaints about wholly deciduous hedges are excluded.
However, for the purposes of this consultation, we are interested to hear about all types of nuisance high hedges, irrespective of whether the trees or shrubs concerned are evergreen, semi-evergreen or deciduous.

Q4 What species does the hedge consist of?

Although most of the complaints received by the Planning Service have been about leylandii hedges, we are keen to hear about other species of trees or shrubs that have been used as hedging plants and that have grown to what you consider to be an unacceptable height. The following paragraphs provide some background information on the species most commonly used to form hedges.

Normally referred to as leylandii, Leyland cypress (x Cupressocyparis leylandii) is a particularly vigorous and fast growing evergreen conifer. It is a hybrid of the Nootka cypress (Chamaecyparis nootkatensis) of Alaska and western Canada and the Monterey cypress (Cupressus macrocarpa) of California.

Leylandii has become increasingly popular as a hedging plant over the last thirty years. It quickly provides a dense screen, grows well in a wide range of soil and weather conditions and is cheap and readily available across the country. It is widely used in residential locations, on the boundary of domestic gardens and to provide privacy from neighbours, roads or railways. It is also used in agricultural and industrial settings, both for screening and as a windbreak. It grows at a rate of 1 metre (3 feet) per year – more than any other hedging plant. To be properly maintained as a hedge it should be trimmed at least two or three times a year. If it is not trimmed it can reach heights of over 30 metres (100 feet).

Bred in Northern Ireland, Castlewellan gold (Cupressocyparis leylandii) is similar to Leyland cypress but has densely packed bronze-yellow foliage which is golden on young plants. Commonly planted as a hedge or screen, it does not grow quite as tall as its green relation. Other conifers, such as Lawson cypress (Chamaecyparis lawsoniana), are also used as hedges, though their use has declined as leylandii has become more popular. While not as fast growing, they have a similar habit to leylandii and can get too big if not properly maintained.

Apart from conifers, certain other evergreen species, including laurel (Prunus laurocerasus 'Rotundifolia'), holly (Ilex) and privet (Ligustrum), are often used as hedging plants. Deciduous species can include hawthorne (Crataegus) – also known as may, quick thorn or white thorn – which is found in traditional hedges throughout much of Northern Ireland. Beech (Fagus sylvatica), while also belonging to the
A deciduous family, tends to retain its dead leaves in winter. Many hedges in County Antrim were traditionally planted with beech, which provides a stunning display in autumn.

**Q5 Is it more than 2 metres above ground level?**

For these purposes, ground level means the natural level of the ground where the hedge is situated. Normally, therefore, any measurements should be taken from the ground at the base of the trunks or stems of the trees or shrubs in the hedge. An exception might be where the hedge has been planted in a bed or other container that is raised above the ground. In such a case, the measurement should be from the natural ground area rather than of the hedge alone.

It makes no difference if the property affected is on a lower (or higher) level than the land where the hedge is situated. The 2 metres should still be measured from the ground where the hedge is growing.

**Q6 Does the hedge detract from the reasonable enjoyment of your home or garden because it is too tall?**

The main matter to be determined by this consultation is whether or not the hedge is, because of its height, adversely affecting the reasonable enjoyment of your property. We therefore need to know whether the problems you are experiencing are directly related to the height of the hedge and not, for example, to its width or condition.

Because each case is different, it’s impossible to produce a list of potential grievances that you can choose from. If the factors outlined in Q7 do not adequately describe the nature of your complaint, please use the comments box in the questionnaire to tell us about other problems that are to do with the height of the hedge.

**Q7 Please indicate how the hedge, because of its height, is detracting from the reasonable enjoyment of your home or garden:**

**Obstruction of Light**

One of the commonest concerns is about the perceived reduction in light caused by high hedges. This can affect gardens, limiting plant growth and casting shadows on what was once a sunny garden. Where hedges are planted close to buildings or are particularly tall, they can also reduce the level of natural light in rooms whose windows are in their shade.

Please only tick this box if either your garden or the main rooms of your house or flat are affected. These include living rooms, dining rooms, kitchens and bedrooms. Toilets, bathrooms, storerooms and circulation areas (hall, stairs and landing) are less important and such windows cannot be considered for the purposes of this consultation.
Blocking of views

A tall hedge can block out an eyesore or someone’s cherished view. The value that is placed on an individual outlook is very personal.

You may claim that the view was one of the features which initially attracted you to the property and that your enjoyment of it is diminished by the loss of the view. You may also feel that the value of the property is reduced as a result (see Q14). Although it should not affect your response to this question, you should be aware that no-one has a legal right to a particular view or outlook.

Oppressive / Disproportionate to the size of your home and garden

If a hedge is close to buildings, especially main living rooms, its main impact will be in terms of light obstruction or blocked views. However, if it is out of proportion for its setting, a large hedge growing on neighbouring property might also lead to a general sense of oppression and of being ‘hedged in’. This is most likely to be the case where a large hedge is growing on the boundary of a small garden.

In assessing whether your neighbour’s hedge is disproportionate to the size of your home and garden, you may wish to take into account factors such as the height and length of the hedge, and the area that it covers compared with that of the garden. You should bear in mind that just because trees in the hedge are taller than neighbouring buildings, this does not necessarily mean that they are out of proportion for their setting – the main question you should ask yourself is “does the hedge dominate your property to the extent that you can no longer enjoy your home and/or garden?”.

Damage to plants / Poor soil conditions

These two factors are inextricably linked, as it is by drawing water and nutrients from the soil – and reducing what is available to other plants – that a hedge’s roots can lead to poor plant growth or their death.

In some cases, damage to plants caused by the declining quality of the soil can be exacerbated by the effect of a tall hedge in preventing light from reaching certain areas of the garden. The hedge might also be so high that you cannot reasonably be expected to trim branches that overhang your property (see page 11). Such branches, by sheltering your garden from the rain, may lead to poor soil conditions – and therefore reduced plant growth – on the ground below.

When answering this question, you should bear in mind that a number of other factors can cause damage to plants, including the weather, pests and diseases. For this reason, it may be difficult to argue that poor plant growth is directly related to the presence of a high hedge in your neighbour’s garden.
Overhanging branches

For the purposes of this consultation, only complaints that relate to the height of the hedge are relevant. As people in neighbouring properties have the right to cut overhanging branches back to the boundary, problems with the width of the hedge will not be taken into account.

The only exception might be where the hedge is so high (i.e. over 2.5 metres) that you could not reasonably be expected to exercise your rights to trim branches that overhang your property – the result being that you are unable to mitigate the adverse effects of the hedge.

Litter dropped by the hedge

Evergreen hedges produce litter (for example needles or berries) which might need clearing from paths or gutters. Although the volume of litter dropped by the hedge is likely to be low and so represent a minor irritant, in some cases, especially where the branches of a high hedge overhang the roof of a bungalow, gutters can become blocked on a regular basis.

If you are troubled by litter dropped by your neighbour’s hedge, you need to decide whether the excessive height of the hedge is to blame. For the purposes of this consultation, only problems experienced as a direct result of a hedge’s height can be taken into consideration.

Q8 Have the roots of the hedge caused any damage to drains or other structures on your property?

A hedge’s roots can have an adverse effect on nearby drains and structures, such as paths or buildings or even people’s homes. While some people might worry about the risk of such damage, you should only answer ‘yes’ to this question if there is some physical evidence – in the form of blocked drains, broken paving, or cracks in buildings.

You should note that, in England and Wales, the Anti-Social Behaviour Act specifically excludes complaints about the effects of the roots of a high hedge.

Q9 Are there any gaps in the hedge above 2 metres?

Under the system put in place to implement Part 8 of the Anti-Social Behaviour Act, complaints can only be brought against hedges that measure more than 2 metres in height. This effectively takes hedges below this height outside the scope of the system, meaning that the effect of gaps (see Q10) can only be taken into consideration where these occur above the 2 metre line.
Q10  Even though there might be gaps in the foliage or between the trees or shrubs, is the hedge still capable of obstructing light or views?

If individual trees or shrubs in the hedge are so widely spaced that you can see what lies behind them, it may not be possible to make a convincing case that the hedge is blocking out light or views from your property.

When answering this question, you should bear in mind that for the purposes of this consultation a hedge is defined as a line of 2 or more trees or shrubs. Insofar as parts of the hedge meet this definition, they will be considered as individual hedges.

Q11  Have you seen any birds or bats nesting or roosting in the hedge?

Hedges can provide food and shelter for mammals and birds. In Northern Ireland over thirty species of birds regularly rely on hedges for breeding, shelter and feeding. Under the Wildlife (Northern Ireland) Order 1985 it is a criminal offence to destroy, disturb or interfere with the nests and eggs of any wild bird. This is reflected in the Code of Good Farming Practice, according to which hedges should not be trimmed from 1 March to 31 August to avoid harming nesting birds.

Bat populations, which have declined dramatically in recent years, are also reliant upon the habitats provided by linear areas such as tree lines and hedges. There are eight species of bats currently breeding in Northern Ireland, all of which are fully protected under the Wildlife (Northern Ireland) Order 1985 and the Conservation (Nature Habitats, etc) Regulations (Northern Ireland) 1995.

In view of the above legislation, trimming a hedge in which birds or bats are nesting or roosting could constitute a criminal offence. We would therefore be interested to know whether the hedge which is troubling you provides a habitat for any wild birds or bats.
5.2 ABOUT YOUR PROPERTY

Q12 Are you the owner or occupier (e.g. tenant) of the property affected by the hedge?

It would be useful for us to know whether you own or occupy the property affected by a nuisance high hedge. While the occupier will be primarily concerned with the hedge’s impact on their reasonable enjoyment of the property, the owner may also worry about any possible effect on the property’s value (see Q14).

Q13 Who owns the property affected by the hedge?

Since you do not own the property affected by the hedge, we would be interested to know whether you rent the property from a private landlord or whether, for example, it belongs to the Northern Ireland Housing Executive or a housing association. This information will help us to assess whether measures to control nuisance high hedges, should they be introduced here in Northern Ireland, would have a significant impact on the private rented sector, or on charities such as housing associations.

Q14 Do you consider that the presence of a high hedge has had an impact on the value of your property?

In your response to this question please consider whether the hedge, because of its height, has in any way diminished the character of your property and so, in your opinion, lowered its market value. This is more likely to be the case if the hedge has grown since you acquired your home, or if the presence of the hedge has led to a protracted dispute with your neighbour. It doesn’t matter if you don’t know the exact value of your property – we are interested in your assessment of the impact the hedge has had.

Q15 Is your property in residential use, in commercial use or in a mixture of residential and commercial uses?

Your response to this question will help us to determine which types of properties are affected by problems with nuisance high hedges. A property in residential use could be a dwelling or any associated garden or yard, whereas a property in commercial use would normally consist of business premises.
Q16 If your property is in a mixture of residential and commercial uses, is the problem hedge affecting the residential part of the property?

Sometimes the division between residential and commercial elements will be clear, e.g. the doctor’s surgery that operates out of an extension to a home, or the flat above a shop or pub. In other cases, the boundaries between the business and living quarters will be more blurred and you will have to carefully consider whether the hedge is affecting the residential part of your property. This could include a garden or yard that is linked to your dwelling, legally rather than physically.
5.3 WHERE THE HEDGE IS GROWING

Q17 Is the nuisance hedge growing on land bordering your property?

The nuisance hedge must be growing on land that is owned by someone other than the person making the complaint. Otherwise, there is no restriction on where the hedge might be situated. It is the effect of the hedge on a domestic property that is important, rather than where it is located.

In particular the hedge does not have to be next door. It could, in theory, be several gardens down the road. Though, in practice, the farther away the hedge, the less its impact will be. The hedge does not have to be wholly on a neighbour’s property – it could extend over several properties.

Q18 Is the problem hedge growing on residential property, commercial/industrial property, or agricultural land?

The problem hedge does not have to be growing in someone else’s garden. It could, for instance, be growing on parkland that borders on your home, garden or commercial premises.

Q19 If the property on which the hedge is growing is residential, who does it belong to?

Responses to this question will allow us to determine whether measures to control nuisance high hedges, should they be introduced, would have a significant impact on either the private rented sector, or on charities such as housing associations.
5.4 ATTEMPTS TO RESOLVE THE COMPLAINT

Q20 Have you tried to resolve the problem with your neighbour?

A hedge owner may not be aware of the effect it has on neighbours. A polite request to keep a hedge properly trimmed and maintained may often be all that is needed to resolve matters. The harmful effects of a high hedge can be felt by the hedge owner as much as by their neighbour, and both will benefit if they co-operate to keep a hedge properly maintained. In these cases, there is no need for any outside intervention.

If you are troubled by a neighbouring hedge, the best way to deal with the issue is to discuss it amicably and to agree a solution. This approach works best where people have good relations with their neighbour. The Department recognises, however, that this is not the case for everyone.

Q21 Did you use mediation services in your attempt to resolve the problem?

Mediation is a well established process for resolving disagreements in which an impartial third party (the mediator) helps people in dispute to find a mutually acceptable resolution.

A quick and informal means of resolving hedge disputes, mediation works best where both parties are willing to reach an amicable solution, but differ over what that solution might be. Where one or both sides are unwilling to reach an agreement, mediation is unlikely to resolve the dispute.

Often disagreements over a high hedge form part of a wider dispute and, in these circumstances, mediation aims to resolve the underlying issue rather than focusing on a single aspect, such as the hedge. In Northern Ireland mediation services are provided by Mediation Northern Ireland, 83 University Street, Belfast.

Q22 Have you complained to anyone other than the hedge owner?
Q23 Who have you complained to, or sought advice from?

To date, the Planning Service has received a modest number of complaints from local elected representatives and members of the public. This consultation is, we hope, a positive step in helping us to identify the true extent of problems caused by overgrown hedges in Northern Ireland.

Given the lack of information held by the Department in relation to nuisance high hedges, it would be beneficial to know which, if any,
organisations or individuals complaints have been directed to in the past.

**Q24 Have you taken any civil action against the hedge owner, i.e. have you pursued the matter through the courts?**

We currently have no evidence to suggest that people are using the courts to resolve disputes over high hedges. However, it can be assumed that many people are reluctant to pursue action through the civil courts, not only because of the time and cost but also because there is no guarantee of a successful outcome. If, as a last resort, you have taken your neighbour to court following his/her refusal to compromise over the height of a boundary hedge, it would greatly assist us if you could elaborate on your experience in the comments box provided.
ANNEX 1

Responding to this Consultation Paper

Please note that responses to this consultation should be received by the Department no later than 26 October 2005.

There are a number of ways in which you can respond:

1. The questionnaire accompanying the consultation paper can be completed and sent to:

   Wilfrid Reavie
   Planning Service Headquarters
   High Hedges Consultation
   3rd Floor
   Millennium House
   17-25 Great Victoria Street
   Belfast
   BT2 7BN

2. Completed questionnaires may be sent by fax to (028) 9041 6960.

3. The questionnaire is also available in Microsoft Word format for downloading from the Planning Service website at www.planningni.gov.uk. It can either be completed on your computer, printed out and sent to the postal address above, or can be e-mailed to highhedges@nics.gov.uk

We look forward to receiving responses to the questionnaire contained within this consultation paper. Additional copies of the consultation paper and copies in alternative formats, if desired, are available from the address above and may be requested by Telephone 028 9041 6966, Fax 028 9041 6960 or Textphone 028 9054 0642.

If you have any comments or complaints about the consultation process itself (rather than the content of this document), these should be directed to Janice Wilkinson at the postal address above or by e-mail to Janice.Wilkinson@doeni.gov.uk
ANNEX 2

Freedom of Information Act 2000 – Confidentiality of Consultations

1. The Department will publish a summary of responses following completion of the consultation process. Your response, and all other responses to the consultation, may be disclosed on request. The Department can only refuse to disclose information in exceptional circumstances. Before you submit your response, please read the paragraphs below on the confidentiality of consultations and they will give you guidance on the legal position about any information given by you in response to this consultation.

2. The Freedom of Information Act gives the public a right of access to any information held by a public authority, namely the Department in this case. This right of access to information includes information provided in response to a consultation. The Department cannot automatically consider as confidential information supplied to it in response to a consultation. However, it does have the responsibility to decide whether any information provided by you in response to this consultation, including information about your identity, should be made public or be treated as confidential. If you do not wish information about your identity to be made public please include an explanation in your response.

3. This means that information provided by you in response to the consultation is unlikely to be treated as confidential, except in very particular circumstances. The Lord Chancellor’s Code of Practice on the Freedom of Information Act provides that:

   • the Department should only accept information from third parties in confidence if it is necessary to obtain that information in connection with the exercise of any of the Department’s functions and it would not otherwise be provided;

   • the Department should not agree to hold information received from third parties ‘in confidence’ which is not confidential in nature; and

   • acceptance by the Department of confidentiality provisions must be for good reasons, capable of being justified to the Information Commissioner.

4. For further information about confidentiality of responses please contact the Information Commissioner’s Office (or see web site at: http://www.informationcommissioner.gov.uk/).
ANNEX 3

List of Consultees

20/20 Architects
Aerodrome Services, Safety Regulation Group, Civil Aviation Authority
Age Concern NI
Archbishop of Armagh & Primate of All Ireland
Arcus Architects
Association of Consulting Engineers
Atlas Communications
B9 Energy Services Ltd
Bar Library
BB Planning and Design
BBC
Belfast City Airport
Belfast Civic Trust
Belfast Harbour Commissioners
Belfast Healthy Cities
Belfast Institute of Further and Higher Education
Belfast Metropolitan Residents Group
Belfast Solicitors Association
Bishop of Down & Connor
Bodleian Library, Oxford
Brennan Associates
British Library
British Telecom (NI)
British Wind Energy Association
Bryson House
Building Design Partnership
Cable and Wireless
Cabletel (NI) Ltd
Carers National Association NI
Central Services Agency for the HPSS
Chartered Institute of Environmental Health
Chartered Institute of Housing
Chief and Group Environmental Health Officers
Chinese Welfare Association
City of Derry Airport
Coalition on Sexual Orientation
Coleraine Harbour Commissioners
Commission on the Administration of Justice
Commissioner for Children and Young People (NI)
Community Technical Aid (NI) Ltd
Confederation of British Industry, Northern Ireland Branch CBI
Construction Employers Federation Ltd
Council for Catholic Maintained Schools
Council for Nature Conservation and the Countryside
Countryside Access and Activities Network for Northern Ireland
Crown Castle UK Ltd
Department of the Environment, Heritage and Local Government (ROI)
Disability Action
DTZ Pieda Consulting
Education and Library Boards
Environmental and Planning Law Association for Northern Ireland
Equality Commission for NI
Equality Forum NI
Federation of Small Businesses
Ferguson and McIlveen
Fire Authority for Northern Ireland
Forest of Belfast
Friends of the Earth
Gingerbread NI
Health and Social Services Boards and Trusts
Help the Aged NI
Historic Buildings Council
Historic Monuments Council
HM Council of County Court Judges
House of Commons Library
House of Lords Library
Human Rights Commission
i-documentsystems
Institute of Directors
Institute of Historic Building Conservation
Institute of Professional Legal Studies (QUB)
Institution of Civil Engineers (Northern Ireland Association)
Institution of Highways & Transportation (Northern Ireland Branch)
International Tree Foundation
Invest Northern Ireland
Kenneth Crothers, Deane & Curry
Lagan Valley Regional Park Officer
Laganside Corporation
Laganside Courts
Landscape Institute Northern Ireland
Larne Harbour Commissioners
Law Centre (NI)
Law Reform Advisory Committee
Library of Trinity College, Dublin
Library, Queen’s University of Belfast
Londonderry Port & Harbour Commissioners
Lough Neagh and Lower Bann Management Committees
LPG Association
Marks and Spencer
McClelland and Saulter
Mediation Services Northern Ireland
MENCAP
Men’s Action Network
Men’s Project
Methodist Church in Ireland
Ministry of Defence
Ministry of Defence HQNI
Mobile Operators Association
Mono Consultants Limited
Mourne Heritage Trust
Mournes Advisory Council
National Library of Wales
National Library, Scotland
National Trust
NI Affairs Committee
NI Association of Citizens Advice Bureau
NI Chamber of Commerce and Industry
NI Council for Ethnic Minorities
NI Gay Rights Association
NI Government Departments
NI District Councils
NI Members of the House of Lords
NI MPs, MEPs, Political Parties and MLAs
NI Resident Magistrates’ Association
NI Women’s European Platform
NIC / ICTU
NICARE
NICOD
NIPSA
North West Architectural Association
Northern Ireland 2000
Northern Ireland Agricultural Producers’ Association
Northern Ireland Amenity Council
Northern Ireland Assembly Library
Northern Ireland Association of Engineering Employers Federation
Northern Ireland Blood Transfusion Service Agency
Northern Ireland Chamber of Trade
Northern Ireland Council for Integrated Education
Northern Ireland Court Service
Northern Ireland Economic Council
Northern Ireland Electricity PLC
Northern Ireland Environment Link
Northern Ireland Federation of Housing Associations
Northern Ireland Health Promotion Agency
Northern Ireland Housing Council
Northern Ireland Housing Executive
Northern Ireland Local Government Association
Northern Ireland Ombudsman
Northern Ireland Publications Resource
Northern Ireland Quarry Owners Association
Northern Ireland Regional Medical Physics Agency
NTL Cabletel
O2
OFCOM
Office for the Regulation of Electricity and Gas (OFREG)
Office of the Deputy Prime Minister
OFTEL
Orange
Ostic and Williams
Phoenix Natural Gas Ltd
Planning Appeals Commission
Planning Magazine
Playboard NI
Policing Board of Northern Ireland
Pragma Planning
Presbyterian Church in Ireland
Property Services Agency
PSNI Architectural Liaison Officer
PSNI Roads Education Unit
Quarry Products Association Northern Ireland
Queen’s University, Belfast
Regional Development Office
Regulatory Impact Unit, Inland Revenue
RELATE
Robert Turley Associates
Royal Institution of Chartered Surveyors
Royal National Institute for Deaf People
Royal National Institute for the Blind
Royal Society for Protection of Birds
Royal Society of Ulster Architects
Royal Town Planning Institute (Irish Branch, Northern Section)
Royal Town Planning Institute (London)
RPS
Rural Community Network
Rural Development Council for Northern Ireland
Save the Children
School of Law, Queen’s University of Belfast
School of Law, University of Ulster Jordanstown
Scottish Executive
Society of Local Authority Chief Executives
Sports Council for Northern Ireland
Strangford Lough Advisory Council
Strangford Lough Management Committee
Sustrans
T – Mobile
TBI Belfast International Airport
The Executive Council of the Inn of Court of NI
The General Consumer Council for NI
The Law Society of NI
The NI Council for Voluntary Action
The Office of Law Reform
Three UK
Translink
Transport 2000
Travellers Movement NI
TSO Bibliographic Department
Ulster Anglers Association
Ulster Architectural Heritage Society
Ulster Farmers’ Union
Ulster Society for the Preservation of the Countryside
Ulster Television
Ulster Wildlife Trust
University Library, Cambridge
University of Ulster at Jordanstown
URPA
Vodaphone
Warrenpoint Harbour Authority
WDR & RT Taggart
Welsh Assembly
Westminster Spokespersons
Wildfowl and Wetland Trust
Women’s Forum NI
Women’s Support Network
Woodland Trust
World Wildlife Fund (NI)
Youth Council for Northern Ireland