

Causeway Coast & Glens Borough Council

To: Environmental Services Committee

HIGH HEDGE COMPLAINT FEENY EH/227/2013

4 AUGUST 2015

For Decision

Report to Committee

Linkage to Corporate Plan	
Strategic Priority	Protecting and Enhancing our Environment
Objective	Protecting the environment through the enforcement of statutory duty.
Lead Officer	Bryan Edgar
Cost: (If applicable)	Officer time spend + consultant fees + solicitor fees + court costs

1.0 Background

This matter relates to a complaint originally received on the 1st September 2013. Following a protracted investigation the legacy Council had taken a decision taken to instigate legal proceedings against the landowner for failure to comply with the requirements of the remedial notice under Section 10(1) of the High Hedges Act (Northern Ireland) 2011.

The notice was served on the 17th October 2014 and expired on the 17th January 2015. The accompanying correspondence to the notice included details of the right of appeal, which in this case was 28 days expiring on the 17th November 2014. An appeal to the Northern Ireland Valuation Tribunal was made on the 12th May 2015. The solicitor for the appellant has given the reason for delay in submission of the appeal as their client was medically unfit to deal with legal issues. The Northern Ireland Valuation Tribunal has written to Council giving the opportunity to express consent or to oppose time being extended in this case.

1.2 Recommendation

It is recommended that a response be made to the Northern Ireland Valuation Tribunal opposing the time being extended in this case.