

HIGH HEDGES (SCOTLAND) ACT 2013

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Appeals

Section 12 – Appeals

35. This section provides rights of appeal to Scottish Ministers against decisions made by local authorities.
36. Under subsection (1), applicants may appeal against decisions made by the local authority that there is no adverse effect or that no action should be taken in relation to the hedge.
37. Under subsections (2) and (3), owners and occupiers of the domestic property and owners and occupiers of the neighbouring land may appeal against the issue of a high hedge notice or a withdrawal or variation of a high hedge notice.
38. Subsection (4) provides that any appeal must be made before the end of the period of 28 days, beginning with the date of the notification by the local authority of the decision or the high hedge notice or the withdrawal of the notice or the revised high hedge notice as the case may be.