

SPSO decision report

Case: 201601386, West Lothian Council
Sector: local government
Subject: other
Decision: not upheld, no recommendations

Summary

Mr C complained that the council had unreasonably failed to vary the high hedge notice that had been served in relation to his neighbour's garden. He claimed that the maximum height for the hedges in terms of the notice had been calculated with reference to there being a difference in height of one metre between his neighbour's garden and his. He claimed that the base measurements had been wrong and the hedges were higher than they ought to be, but the council insisted they were within the requirements of the notice.

The council's position was that they did not have the authority to vary the notice, since it had been superseded by an appeal to the planning and environmental appeals division of the Scottish Government. Nevertheless, they had gone to considerable lengths to try to resolve the dispute with Mr C. We found the council's position to be reasonable and we therefore did not uphold the complaint.