



Trees FAQs

Duston Parish Council





DUSTON PARISH COUNCIL

Document Version Control

Version	Date adopted / Re-adopted	Review By Date	Author
66/23	07/12/2023	March 2027	Council

Duston Parish Council Trees Frequently Asked Questions

Please note this document supplements Duston Parish Council Tree Management Policy.

What trees do Duston Parish Council maintain?

The Parish Council only maintains trees on land it owns or has leasehold. The Parish Council may at its own discretion carry out tree/hedge maintenance when land ownership is unknown, owned by a charity or in a closed churchyard.

As the landlord of Duston Sports Centre what do you do about trees on that site?

All tree related problems or queries should be directed to Trilogy as it a matter for them under the terms of their lease.

What about trees and hedges on public open space on the Timken estate?

All tree related problems should be directed to the estate management company.

What about trees and hedges on land managed by Northampton Partnership Homes (NPH)?

All tree and hedges enquiries should be directed to either NPH directly or WNC ward councillors. WNC have the legal freehold of NPH land.

What about trees in my property / my neighbours property / or other private property?

Duston Parish Council is not responsible for trees in private gardens or private property. You are responsible for maintaining trees on your property and making sure they are safe. Before carrying out any work on a tree in your own garden, check whether the tree is protected by a Tree Preservation Order (TPO) or is in the Duston Conservation Area.

What about overhanging trees or hedges from Duston Parish Council land into my property?

On a Parish Council tree you may prune the branches back to the boundary line of your property but no further. The work must be done from your own property. You must dispose of any cuttings yourself, do not leave them on Parish Council land.

What about trees on West Northamptonshire Council land?

All tree related queries on land owned and/or maintained by West Northamptonshire Council (WNC) should be directed to the relevant WNC ward councillors, WNC contact centre or Fix My Street on their website.

What about trees overhanging the public highway such as footpath and/or the road?

Again, this should be directed to WNC ward councillors, WNC contact centre or Fix My Street on their website.

There will be occasions when a tree or hedge overhangs a road or pavement in a way that endangers or obstructs pedestrians and/or vehicles. In this case the Highways Department at WNC may serve notice under Section 154 Highways Act 1980 on the owners of hedges, trees or shrubs which overhang the footpath/road to lop or cut the tree or hedge to remove the cause of danger or obstruction.

Section 130 Highway Act places a duty on West Northamptonshire Council to assert and protect the rights of the public to the use and enjoyment of any highway for which they are responsible.

The tree(s) outside my property block light to my house/garden; can they be removed/pruned?

In law there has been no tested case to prove or disprove right to light and as such there is no absolute right to light, to either land or property.

The leaves / seeds / sap, makes such a mess when they fall and make the garden path slippery/block the drains/dirty the car, can they be removed/pruned?

Duston Parish Council strives to keep its own pavements in good structural repair but gardens (front and rear) of private properties are the concern of the occupiers. Duston Parish Council can accept no responsibility for the leaf litter, seed drop, pollen, sap drop etc as these are natural physiological occurrences only to be expected by trees.

Is there a law about the height of hedges?

Part 8 of the Anti-Social Behaviour Act 2003 gives powers to West Northamptonshire Council about high hedges. The legislation makes it clear that WNC can only become involved once all attempts at negotiation have been exhausted.

How are Duston Parish Council trees inspected and maintained?

Duston Parish Council land with trees is inspected every 3 years by an independent professional arboriculturist. The survey records information on Council owned trees and identifies any which pose a risk to health and safety. Duston Parish Council takes appropriate action based on the inspection report.

What about Parish Council trees causing potential damage to my property?

Duston Parish Council endeavour to ensure a 1.5 metre clearance from overhanging trees to residential structures (houses, garages) but not property boundaries.

For further information please read Duston Parish Council Tree Management Policy found on the website www.duston-pc.gov.uk