



SOUTH
KESTEVEN
DISTRICT
COUNCIL

Environment Overview and Scrutiny Committee

Tuesday, 10 June 2025

Report of Councillor Rhys Baker,
Cabinet Member for Environment and
Waste

Update on draft tree management policies

Report Author

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Purpose of Report

To provide the committee with an update on the new tree management policies.

Recommendations

The Committee is recommended to provide brief feedback on non-operational elements of the draft policies, and note the pathway to approval of the draft policies.

Decision Information

Does the report contain any exempt or confidential information not for publication?	N
What are the relevant corporate priorities?	Sustainable South Kesteven Effective council
Which wards are impacted?	All

1. Implications

Taking into consideration implications relating to finance and procurement, legal and governance, risk and mitigation, health and safety, diversity and inclusion, safeguarding, staffing, community safety, mental health and wellbeing and the impact on the Council's declaration of a climate change emergency, the following implications have been identified:

Finance and Procurement

- 1.1 There is an allocated budget for tree maintenance which is predominantly used for any reactive works that are needed on trees either identified from surveys or from complaints raised about the tree stock.
- 1.2 There are a number of workstreams that the draft tree Policy will impact therefore it is recommended that the Committee note the direction of travel with the work of the policy and more financial information be presented to the Committee prior to the final draft policies being formally approved.

Completed by: Richard Wyles, Deputy Chief Executive and s151 Officer

Procurement

- 1.3 Tree survey services are currently provided by North Kesteven District Council via a historic service level agreement, it is recommended that a new specification is drawn up and that a tender exercise is undertaken to align to the draft policy. This will deliver better value for money for the council.

Completed by: Helen Baldwin, Procurement Lead

Legal and Governance

- 1.3 There are no significant legal or governance issues.

Completed by: James Welbourn, Democratic Services Manager

Risk and Mitigation

- 1.4 The new policy document contains a comprehensive tree risk management strategy that aims to reduce the likelihood of harm and damage to property from council owned/managed trees, and the likelihood of successful claims against the council if injury and/or damage does occur.

Completed by: Tracey Elliott, Governance & Risk Officer

Climate Change

- 1.5 While no replacement for directly reducing carbon emissions, effective management of the Council's existing stock of trees provides valuable ecosystem services such as climate change regulation, carbon sequestration, filtering of pollution and in some cases flood prevention. The draft tree management policies set out a pathway towards pro-active management which will better secure the various benefits provided by a healthy population of trees.

Completed by: Serena Brown Sustainability and Climate Change Manager

2. Background to the Report

- 2.1. SKDC adopted a Tree and Woodland Strategy in 2024. Through the adoption of this strategy the council has committed to:
- Increasing tree canopy cover across the district
 - Enhancing protection for trees
 - Proactive management of trees in accordance with best practice standards
 - Increasing climate resilience
 - Increased community engagement and partnership working in tree initiatives
 - Invest in trees (a key priority)
- 2.2. Once fully developed it is proposed that the draft policies attached at appendix A will replace the existing 'Tree Guidelines' document that was adopted in 2019, reflecting the ambition expressed through the adoption of the tree and woodland strategy.
- 2.3. The draft policies presented cover the management of trees on SKDC land, or trees under our management (e.g. in closed church yards). The scope of this draft policy does not cover trees on land outside of the Council's control, including TPO policy, tree protection on development policy, Miscellaneous Provisions (dangerous trees) or high hedges.

3. Key Considerations

- 3.1. The existing Tree Guidelines document does not contain a comprehensive risk management strategy to prevent harm or damage from the failure of a tree or tree

part. Without a strategy based on zoning, and evidence of the allocation of resources based on risk factors such as occupancy and target value, in the event of injury or damage being caused because of failure of a council owned tree, there is an increased chance of prosecution (HSE) and/or litigation.

- 3.2. SKDC is responsible for trees on housing land, trees in parks and amenity spaces, and trees in churchyards. The existing Tree Guidelines document does not account for these different management contexts.
- 3.3. Some of the existing policies use wording that is open to interpretation, and do not provide enough clarity for officers dealing with trees issues, or tenants and members of the public looking for resolution of a tree related issue.
- 3.4. Where the existing Tree Guidelines document provides greater clarity, for example on nuisance issues relating to shade, it often presents an open-and-shut case where in reality nuance exists. This approach is unlikely to foster good relationships between people and trees.

4. Information on new content

- 4.1. The draft new policy document has a clearer four-part structure as detailed below but does not cover any planning relating topics relating to trees outside of Council ownership/management (e.g. TPO policy, tree protection on development sites, Misc provisions or high hedges).

PART 1: Pruning and removal of council managed trees

- Defines council's position on overhanging branches, nuisance issues, shading and other common complaints

PART 2: Trees on tenanted property

- Defines responsibilities of SKDC and the tenant. In summary, the council will be responsible for specialist work or work at height, and tenants will continue to be responsible for general maintenance.
- The policy does not commit the council to regularly inspecting trees in private tenanted gardens and the onus is on the tenant to report suspected issues.

PART 3: Trees in closed churchyards

- Acts as a form of service level agreement for churches/church wardens

PART 4: Risk Management

- Introduces the concept of 'zoning' and defines a survey and record keeping protocol.

- 4.2. Throughout the new draft document there is greater clarity on managing wildlife constraints and, in accordance with the adopted Tree & Woodland Strategy, an increased scope for proactive management.

- 4.3 The draft management policies define SKDC's policy position in respect of various issues, but the document recognises that these policy positions are aspirational and that resources may not always be available to carry out the work required.
- 4.4 The new draft tree management policies offer clear guidance for officers, tenants, and the public. By addressing different management contexts and the impacts of unmanaged tree nuisances, they aim to improve relationships between people and trees, building future support for tree initiatives.
- 4.5 The introduction of a risk management strategy will have several significant implications which are summarised in the table below:

Implication	Justification/Supporting Evidence
Reduces the risk of harm to people and damage to assets, therefore reducing the risk of HSE enforcement and/or litigation due to any injury caused by a council owned tree.	Industry guidance (e.g. Common Sense Risk Management of Trees , National Tree Safety Guidance, 2024) recommends zoning according to targets and levels of occupancy. Where harm has occurred, landowners (including councils) have been found liable due to their failure to base inspection frequencies on a zoning assessment (e.g. Witley Parish Council v Cavanagh)
Implementation will require SKDC to review its existing tree survey service agreement with North Kesteven District Council	Survey timings and protocols need to be updated and are unlikely to be incompatible with the current service agreement. For example, under the current arrangement all trees are surveyed every three years, whilst under the new policy the survey frequency may range from 18-54 months depending on the risk profile.
Implementation will require SKDC to procure its own tree record management system	All the council's tree records are currently held in software that it does not own a licence for. This leaves the council exposed to an information governance risk (i.e. the data may be lost due to factors outside of our control). The software currently used to store our data has limited features for presenting, analysing and exporting data.

Whilst 'zoning' may decrease inspection frequencies in some areas, it will also increase them in others, and the extent of tree work required may also increase accordingly	Increased inspection frequencies are likely to be required in some areas to comply with current best practice guidance and, in relation to tree risk management (See above), legal precedent. Under the current arrangement all trees are surveyed every three years (36 months). In high occupancy areas this could increase to 18 months.
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- 4.6 The new draft policies provide a framework for assigning a broader scale of priority ratings than the current binary system (Essential/Desirable). This will enable better resource allocation and, when combined with improved record keeping, will allow the council to monitor its performance and make long term financial planning more realistic. The draft policy currently describes 3 priority ratings for safety critical work and 5 sub-categories of general management works.
- 4.7 The financial implications of adopting these policies are not yet fully understood. Officers are seeking clarity on costs but wanted to provide the committee with an update regarding the trajectory of travel with the new policy. A further paper will be brought to a following Environment OSC meeting outlining the research undertaken regarding the cost implications of recommending this policy to Cabinet for approval. This is likely to include costs associated with software and surveying.

5. Reasons for the Recommendations

- 5.1. The draft policies are presented here for noting at this stage. The proposed pathway to approval, adoption and implementation is shown in Figure 2 below. Individual committee members are welcome to submit comments and questions outside of the Committee by contacting climatechange@southkesteven.gov.uk. This report is to note the progress and trajectory of the work to date.

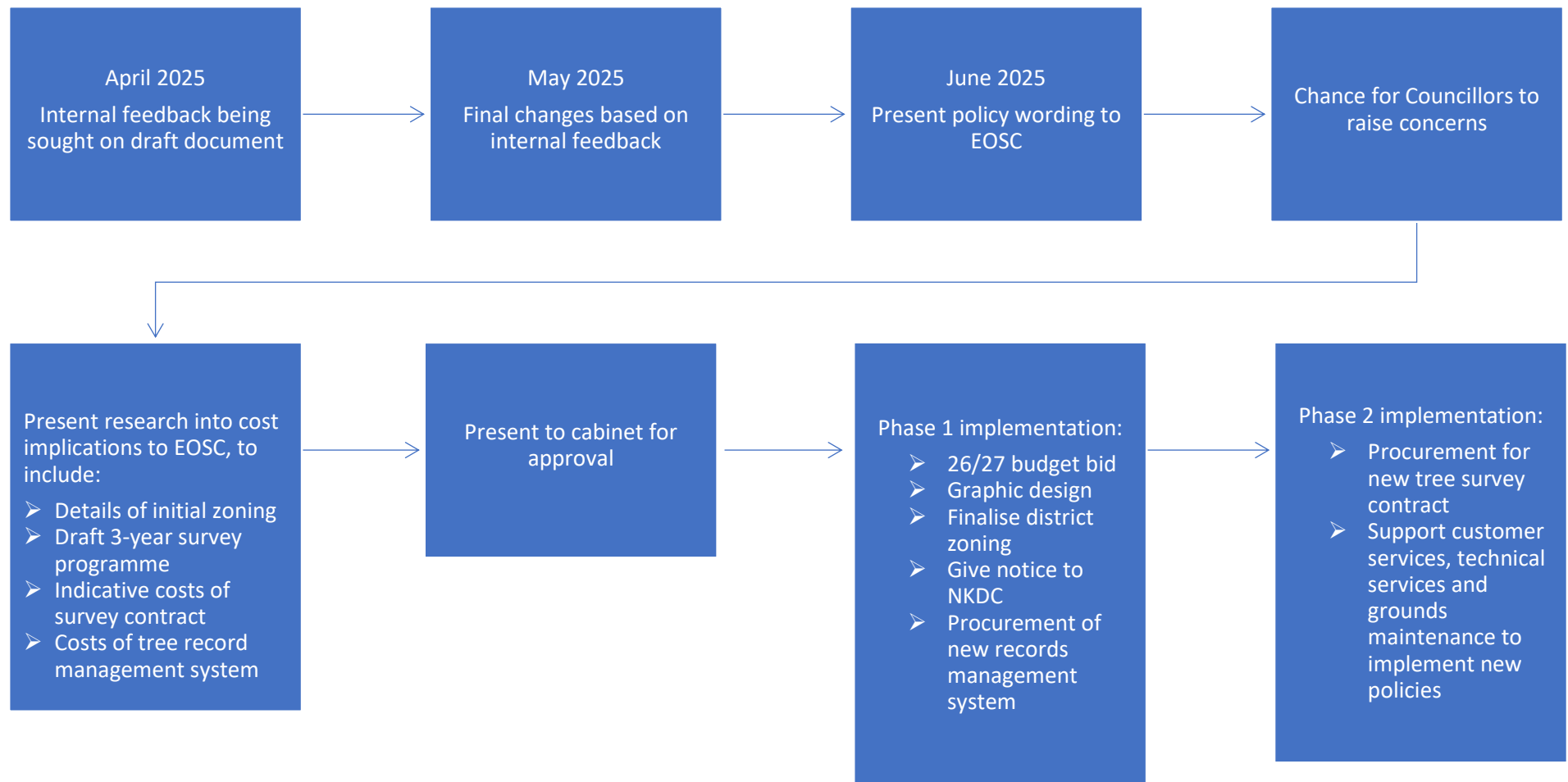


Figure 1. A diagram illustrating the proposed pathway to approval, adoption and implementation of the new policies.

6. Appendices

6.1. SKDC Tree Management Policies (DRAFT)