



Tree Management Policies

Report Author

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Purpose of Report

To seek approval for the adoption of the Tree Management Policies, to replace the existing tree management guidelines.

Recommendations

That Cabinet:

- 1. Approve and formally adopt the Tree Management Policies, which will replace the Council's existing Tree Guidelines (2019) as the authoritative framework for managing trees under South Kesteven District Council's (SKDC) responsibility.**
- 2. Delegate authority to the Director for Housing and Projects to make minor amendments to the Tree Management Policies as required, in consultation with the Cabinet Member for Environment and waste, Councillor Baker.**

Decision Information

Is this a Key Decision?	No
Does the report contain any exempt or confidential information not for publication?	No
What are the relevant corporate priorities?	Sustainable South Kesteven Effective council
Which wards are impacted?	(All Wards);

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 The Tree Management Policies will help prioritise the most safety-critical work using the available budget.
- 1.2 Future costs may vary due to factors such as the adoption of new land containing trees, growth in the Council's planted tree stock, and potential increases in contractor rates. Changes in industry standards or inspection requirements could also affect long-term expenditure. It will therefore be important to review costs periodically to ensure the budget remains aligned with service needs.
- 1.3 Further investment is planned with proposed growth bids being put forward for consideration as part of the 2026/27 budget process which would support delivery of this policy

Completed by: David Scott – Assistant Director of Finance and Deputy Section 151 Officer

Legal and Governance

- 1.4 There are no significant legal or governance issues.

Completed by: James Welbourn, Democratic Services Manager

Risk and Mitigation

- 1.4 From a risk management perspective, Part 4 of the proposed policy represents a clear improvement on the existing inspection regime. It aligns with recognised industry standards for defensible tree risk management and would strengthen the Council's ability to demonstrate that it is meeting its duty of care. While the Council's overall exposure is also influenced by its capacity to act on identified risks, implementing a proportionate, risk-based inspection system is an essential first step. Failure to adopt an improved regime, when the limitations of the current one are already known, would weaken the Council's position in the event of an incident or claim.

Completed by: Tracey Elliott, Governance & Risk Officer

Health and Safety

- 1.5 Part 4 of the proposed policy represents a positive step in strengthening the Council's approach to managing health and safety risks associated with trees. By introducing a risk-based zoning system, SKDC would be adopting a more proportionate and evidence-led method of inspection, which aligns with general principles of good safety management. It ensures that higher-risk areas receive more frequent attention and that the Council can demonstrate a proactive stance in preventing foreseeable harm. While the ability to act on identified risks remains essential, the establishment of a robust inspection regime is a fundamental component of the Council's overall health and safety framework.
- 1.6 The Health and Safety at Work Act 1974 (HASWA) Section 3.1 states the following: **It shall be the duty of every employer to conduct his undertaking in such a way as to ensure, so far as is reasonably practicable, that persons not in his employment who may be affected thereby are not thereby exposed to risks to their health or safety.** This places a clear legal responsibility, along with the moral obligation, to ensure that proactive measures are introduced to remove entirely or reduce the risk posed to persons not in our employment

Completed by: Phil Swinton Head of Health and Safety, Compliance and Emergency Planning

2. Background to the Report

- 2.1. The draft policies attached at appendix A will replace the existing 'Tree Guidelines' document that was adopted in 2019. The policies 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. SKDC is responsible for trees on housing land, in parks and amenity spaces, and in churchyards. The existing Tree Guidelines document does not explicitly account for these different management contexts.
- 3.2. The current Tree Guidelines lack the clarity and nuance needed to support consistent, balanced decision-making. Some policies are open to interpretation, while others take an overly rigid, binary approach to issues that are inherently nuanced. As a result, the guidelines do not provide a reliable basis for resolving tree-related concerns or for fostering constructive relationships between people and trees.

3.3. The draft policy document has a clearer four-part structure:

1. **Pruning and removal of council managed trees** – covers the council's position on overhanging branches, nuisance issues, shading and other common issues.
2. **Trees on tenanted property** – defines the responsibilities of SKDC and the tenant.
3. **Trees in closed churchyards** – acts as a form of service level agreement for churches/church wardens.
4. **Risk Management** – Introduces the concept of 'zoning' and defines a survey and record keeping protocol.

3.4. The draft policies set out a clearer, risk-based and proactive framework for managing trees under SKDC's control, defining responsibilities, procedures, and priorities across council land, tenanted properties, and closed churchyards to improve clarity, safety, and long-term resource planning.

3.5. The draft policy document defines 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. The survey protocols proposed in the Tree Management Policies will help to better differentiate between safety critical and general management recommendations, which will help to prioritise work to trees and manage according to the available budget across the year.

3.6. The implementation of the proposed risk management strategy is expected to require a ~10% increase in spending for surveys and associated data management, compared to the existing system. Due to modest sums of money involved, it is believed this would not create a significant financial burden for the Council and would deliver many benefits.

3.7. Following the latest review by the Environment Overview and Scrutiny Committee (EOSC), the policies have been translated from working drafts into a fully designed public-facing document. As part of this production process, all text has undergone further editorial review to improve clarity, public readability, and internal consistency.

3.8. This review identified areas where additional explanation or detail would make the policies clearer for operational teams and the public. These refinements have not altered the underlying policy intent previously endorsed by EOSC, with one minor exception relating to tree work during the bird-nesting season.

3.9. The revision to the nesting-birds wording does not change the Council's underlying operational approach but clarifies how works may proceed lawfully during the nesting season. The updated text aligns more closely with wildlife

legislation and arboricultural best practice by emphasising the need for nest checks before any works, clarifying how emergency situations are managed, and replacing the previous blanket restriction with a more accurate and proportionate approach where low-impact works may be undertaken if no active nests will be disturbed.

- 3.10. Cabinet is being asked to approve the policies as presented, noting that the refinements made since EOSC scrutiny strengthen clarity, readability and operational usability without materially altering the intent of the policies previously considered.

4. Other Options Considered

- 4.1 Not to adopt the Tree Management Policies and continue with existing guidelines. This option is not recommended because:
- a) the current Tree Guidelines lack the clarity and nuance needed to support consistent, balanced decision-making; and,
 - b) they do not provide an industry-aligned risk management strategy to demonstrate that SKDC is meeting its duty of care, leaving the Council more vulnerable to claims of negligence.

5. Reasons for the Recommendations

5.1. Adoption of the updated Tree Management Policies

The updated policies provide greater clarity for officers, tenants and the public. They introduce a more detailed and proportionate approach to tree-related risk management, aligned with accepted best practice and designed to support the Council's duty of care. Adoption will ensure SKDC manages its tree stock in a consistent, transparent and accountable way, with policies that are defensible, modern and fit for purpose.

5.2. Delegation to the Director for Housing and Projects to make minor amendments in consultation with the Cabinet Member for Environment

Minor refinements may be required over time—for example, to reflect updated industry terminology, workflow improvements, or clarifications requested by service areas. Providing delegated authority for these adjustments avoids the need for disproportionate governance processes while ensuring that any changes remain aligned with Cabinet's policy intent through consultation with the relevant portfolio holder.

6. Consultation

- 6.1. The wording of policies was presented to EOSC in June 2025 5 ([Item 9, EOSC, June 10th 2025](#)). No amendments were required as a result of this meeting.

- 6.2. Further detail on the costs of implementing the proposed policies, particularly the comprehensive risk management strategy, were presented to EOSC in November 2025 ([Item 8, EOSC, 10th November 2025](#)). No amendments were required as a result of this meeting.

7. Background Papers

- 7.1. Item 9, EOSC, June 10th 2025:
- 7.1.1. [Update on draft Tree Management Policies](#)
 - 7.1.2. [Appendix 1 for Update on draft Tree Management Policies](#)
- 7.2. Item 8, EOSC, 10th November 2025:
- 7.2.1. [Review of Tree Management Policies](#)
 - 7.2.2. [Appendix 1 for Review of Tree Management Policies](#)
 - 7.2.3. [Appendix 2 for Review of Tree Management Policies](#)

8. Appendices

- 8.1. SKDC Tree Management Policies