



SOUTH
KESTEVEN
DISTRICT
COUNCIL

Officer Delegated Decision

12th September 2025

Richard Wyles, Deputy Chief Executive
and Section 151 Officer

Use of the Street Scene Reserve Funding for Essential Tree Maintenance

This report recommends the utilisation of the General Fund Street Scene reserve to provide an additional budget provision of £40k in 2025/26 towards essential works to South Kesteven District Council owned trees.

Contact

Serena Brown, Sustainability and Climate Change Manager

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Decision made by:	Richard Wyles, Deputy Chief Executive and Section 151 Officer
Decision:	To increase the tree maintenance budget by £40k which will be funded from the Street Scene Reserve to enable essential works to SKDC owned trees to be undertaken.
Public or Exempt:	Public
Reasons for exemption:	This report is not exempt from publication.
Conflicts of interest:	No
Policy compliant:	Yes
Details of delegation:	The Financial Regulations give the Chief Finance Officer approval to use discretionary reserves in consultation with the Cabinet Member for Finance when the request is under £100k

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

- 1.1 The General Fund Street Scene Reserve is to be utilised to increase the 2025/26 tree maintenance budget by £40k which will allow essential tree works to be completed and fulfil the Council's duty of care around its trees.

Completed by: Richard Wyles, Deputy Chief Executive and S151 Officer

Legal and Governance

- 1.2 There are no legal implications associated with this decision. The transfer from reserves is within thresholds set out in the Council's Financial Regulations.

Completed by: Alison Hall-Wright, Deputy Monitoring Officer

Risk and Mitigation

- 1.3 Failure to undertake identified or reactive works to trees on Council owned or managed open space could result in increased incidents of tree failure or other issues which may lead to claims against the Council.

Completed by: Tracey Elliot, Governance and Risk Officer

Health and Safety

- 1.4 Timely and appropriate works to trees on Council owned or managed open space are part of the Council's duty of care. It is important that identified and reactive works to trees continue to reduce the risk of tree failure and the associated risk to public safety.
- 1.5 Section 3 of the Health and Safety at Work Act 1974 states :**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.**
- 1.6 This means that acts, or failures to act (Omissions) on the part of the employer could find them in breach of their duty of care, should an incident or injury occur as a result of poorly maintained grounds

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

2. The Purpose of the Report

- 2.1 South Kesteven District Council is responsible for around 6000 trees located on council owned or managed open spaces across the district. The effective management of these of trees includes the following key duties:
- Safety-critical Works
 - o Where trees present an immediate or foreseeable risk to public safety, particularly in high-use areas or near highways and public rights of way.
 - Works Required to Enable Safety-Critical Inspection
 - o Where minor enabling works (e.g. removal of dense ivy, clearance of basal growth, or limited access creation) are necessary to allow for proper inspection or risk assessment of trees that may pose a threat.
 - Works to Avoid Litigation
 - o For example, resolving actionable nuisance such as trees in physical contact with buildings, or other cases with a realistic prospect of immediate legal action if works are not undertaken.
 - Statutory Duties Compliance
 - o Including, but not limited to removal of trees from watercourses to prevent flooding and clearance of council owned trees from highways and footpaths
 - Emergency Works
 - o Unplanned urgent works following storms, accidents, or newly identified hazards that demand immediate action to protect public safety or maintain access.
 - Protection of Critical Infrastructure
 - o Clearance or pruning necessary to maintain visibility or access to essential infrastructure, such as streetlights, signage, CCTV, or utility equipment.
 - Works to Prevent Imminent Damage to Council Assets
 - o Where a tree poses an immediate or foreseeable threat to council-owned property, infrastructure, or land, even where there is no direct safety risk to people.
- 2.2 The 2025/26 tree maintenance budget has been fully allocated. Some of the key factors leading to this budget position include addressing a backlog of tree works which have generated over several years; an increase in reports raised by affected residents regarding tree issues; and identification of areas where Council managed trees have become disease affected and thus requiring works.
- 2.3 To continue to complete the essential duties referred to in paragraph 2.1, it is recommended that the existing tree maintenance budget is increased by £40k and is funded by the General Fund Street Scene Reserve.

2.4 The tree maintenance budget will be reviewed as part of the 2026/27 budget setting process to ensure there is adequate provision going forwards for the Council to undertake its key duties.

3. Available Options Considered

3.1 To not increase the budget but this would mean that no further tree works would be able to take place and would leave the Council open to health and safety, legal, and reputational risks should a tree fail and identified works to address the risk from that tree not having taken place.

4. Preferred Option

4.1 To approve a budget increase of £40,000 for the 2025/26 financial year to the existing tree works budget.

5. Reasons for the Decision(s)

5.1 To ensure that any identified or reactive works to Council owned or managed trees can continue to take place.

Signed by: **Richard Wyles**

Dated: **12 September 2025**