

Economic and Environmental Wellbeing Scrutiny and Policy Development Committee

Thursday 27 July 2017 at 2.00 pm

To be held at the Town Hall, Pinstone Street, Sheffield, S1 2HH

The Press and Public are Welcome to Attend

Membership

Councillors Denise Fox (Chair), Ian Auckland (Deputy Chair), Mike Chaplin, Neale Gibson, Dianne Hurst, Mark Jones, Abdul Khayum, Helen Mirfin-Boukouris, Ben Miskell, Robert Murphy, Moya O'Rourke, Colin Ross, Gail Smith, Martin Smith and Paul Wood

Substitute Members

In accordance with the Constitution, Substitute Members may be provided for the above Committee Members as and when required.

PUBLIC ACCESS TO THE MEETING

The Economic and Environmental Wellbeing Committee exercises an overview and scrutiny function in respect of the planning, development and monitoring of service performance and other issues in respect of the area of Council activity relating to planning and economic development, wider environmental issues, culture, leisure, skills and training, and the quality of life in the City.

A copy of the agenda and reports is available on the Council's website at www.sheffield.gov.uk. You can also see the reports to be discussed at the meeting if you call at the First Point Reception, Town Hall, Pinstone Street entrance. The Reception is open between 9.00 am and 5.00 pm, Monday to Thursday and between 9.00 am and 4.45 pm. on Friday. You may not be allowed to see some reports because they contain confidential information. These items are usually marked * on the agenda.

Members of the public have the right to ask questions or submit petitions to Scrutiny Committee meetings and recording is allowed under the direction of the Chair. Please see the website or contact Democratic Services for further information regarding public questions and petitions and details of the Council's protocol on audio/visual recording and photography at council meetings.

Scrutiny Committee meetings are normally open to the public but sometimes the Committee may have to discuss an item in private. If this happens, you will be asked to leave. Any private items are normally left until last. If you would like to attend the meeting please report to the First Point Reception desk where you will be directed to the meeting room.

If you require any further information about this Scrutiny Committee, please contact Alice Nicholson, Policy and Improvement Officer on 0114 27 35065 or [email alice.nicholson@sheffield.gov.uk](mailto:alice.nicholson@sheffield.gov.uk)

FACILITIES

There are public toilets available, with wheelchair access, on the ground floor of the Town Hall. Induction loop facilities are available in meeting rooms.

Access for people with mobility difficulties can be obtained through the ramp on the side to the main Town Hall entrance.

**ECONOMIC AND ENVIRONMENTAL WELLBEING SCRUTINY AND POLICY
DEVELOPMENT COMMITTEE AGENDA
27 JULY 2017**

Order of Business

- 1. Welcome and Housekeeping Arrangements**
- 2. Apologies for Absence**
- 3. Exclusion of Public and Press**
To identify items where resolutions may be moved to exclude the press and public
- 4. Declarations of Interest** (Pages 1 - 4)
Members to declare any interests they have in the business to be considered at the meeting
- 5. Public Questions and Petitions**
To receive any questions or petitions from members of the public
- 6. Western Road First World War Memorial Scrutiny Task and Finish Working Group - Draft Report** (Pages 5 - 30)
Report of Economic and Environmental Wellbeing Scrutiny and Policy Development Committee Western Road First World War Memorial Scrutiny Task and Finish Working Group
- 7. Date of Next Meeting**
The next meeting of the Committee will be held on Wednesday, 13th September 2017, at 5.00 pm, in the Town Hall

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ADVICE TO MEMBERS ON DECLARING INTERESTS AT MEETINGS

If you are present at a meeting of the Council, of its executive or any committee of the executive, or of any committee, sub-committee, joint committee, or joint sub-committee of the authority, and you have a **Disclosable Pecuniary Interest (DPI)** relating to any business that will be considered at the meeting, you must not:

- participate in any discussion of the business at the meeting, or if you become aware of your Disclosable Pecuniary Interest during the meeting, participate further in any discussion of the business, or
- participate in any vote or further vote taken on the matter at the meeting.

These prohibitions apply to any form of participation, including speaking as a member of the public.

You **must**:

- leave the room (in accordance with the Members' Code of Conduct)
- make a verbal declaration of the existence and nature of any DPI at any meeting at which you are present at which an item of business which affects or relates to the subject matter of that interest is under consideration, at or before the consideration of the item of business or as soon as the interest becomes apparent.
- declare it to the meeting and notify the Council's Monitoring Officer within 28 days, if the DPI is not already registered.

If you have any of the following pecuniary interests, they are your **disclosable pecuniary interests** under the new national rules. You have a pecuniary interest if you, or your spouse or civil partner, have a pecuniary interest.

- Any employment, office, trade, profession or vocation carried on for profit or gain, which you, or your spouse or civil partner undertakes.
- Any payment or provision of any other financial benefit (other than from your council or authority) made or provided within the relevant period* in respect of any expenses incurred by you in carrying out duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.

*The relevant period is the 12 months ending on the day when you tell the Monitoring Officer about your disclosable pecuniary interests.

- Any contract which is made between you, or your spouse or your civil partner (or a body in which you, or your spouse or your civil partner, has a beneficial interest) and your council or authority –
 - under which goods or services are to be provided or works are to be executed; and
 - which has not been fully discharged.

- Any beneficial interest in land which you, or your spouse or your civil partner, have and which is within the area of your council or authority.
- Any licence (alone or jointly with others) which you, or your spouse or your civil partner, holds to occupy land in the area of your council or authority for a month or longer.
- Any tenancy where (to your knowledge) –
 - the landlord is your council or authority; and
 - the tenant is a body in which you, or your spouse or your civil partner, has a beneficial interest.
- Any beneficial interest which you, or your spouse or your civil partner has in securities of a body where -
 - (a) that body (to your knowledge) has a place of business or land in the area of your council or authority; and
 - (b) either -
 - the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or
 - if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you, or your spouse or your civil partner, has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

If you attend a meeting at which any item of business is to be considered and you are aware that you have a **personal interest** in the matter which does not amount to a DPI, you must make verbal declaration of the existence and nature of that interest at or before the consideration of the item of business or as soon as the interest becomes apparent. You should leave the room if your continued presence is incompatible with the 7 Principles of Public Life (selflessness; integrity; objectivity; accountability; openness; honesty; and leadership).

You have a personal interest where –

- a decision in relation to that business might reasonably be regarded as affecting the well-being or financial standing (including interests in land and easements over land) of you or a member of your family or a person or an organisation with whom you have a close association to a greater extent than it would affect the majority of the Council Tax payers, ratepayers or inhabitants of the ward or electoral area for which you have been elected or otherwise of the Authority's administrative area, or
- it relates to or is likely to affect any of the interests that are defined as DPIs but are in respect of a member of your family (other than a partner) or a person with whom you have a close association.

Guidance on declarations of interest, incorporating regulations published by the Government in relation to Disclosable Pecuniary Interests, has been circulated to you previously.

You should identify any potential interest you may have relating to business to be considered at the meeting. This will help you and anyone that you ask for advice to fully consider all the circumstances before deciding what action you should take.

In certain circumstances the Council may grant a **dispensation** to permit a Member to take part in the business of the Authority even if the member has a Disclosable Pecuniary Interest relating to that business.

To obtain a dispensation, you must write to the Monitoring Officer at least 48 hours before the meeting in question, explaining why a dispensation is sought and desirable, and specifying the period of time for which it is sought. The Monitoring Officer may consult with the Independent Person or the Council's Audit and Standards Committee in relation to a request for dispensation.

Further advice can be obtained from Gillian Duckworth, Director of Legal and Governance on 0114 2734018 or email gillian.duckworth@sheffield.gov.uk.

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Report to Economic and Environmental Wellbeing Scrutiny and Policy Development Committee Thursday 27th July 2017

Report of: Economic and Environmental Wellbeing Scrutiny and Policy Development Committee Western Road First World War Memorial Scrutiny Task and Finish Working Group

Subject: Western Road First World War Memorial Scrutiny Task and Finish Working Group - Draft Report

Author of Report: Alice Nicholson, Policy and Improvement Officer
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Summary: The Economic and Environmental Wellbeing Scrutiny and Policy Development Committee set up the Western Road First World War Memorial Scrutiny Task and Finish Working Group in January 2017. It was set up in response to a petition submitted to Sheffield City Council and was tasked by Full Council to gather information and evidence in relation to the Western Road First World War Memorial.

The Scrutiny Working Group have now drafted their report, which outlines their findings and recommendations (please see **Appendix A**). The report and its recommendations are being shared with the scrutiny committee for approval. Recommendations 1-7 are response to findings, recommendation 8 is process for the committee to approve.

Type of item: The report author should tick the appropriate box

Reviewing of existing policy	
Informing the development of new policy	
Statutory consultation	
Full Council request for scrutiny	
Call-in of Cabinet decision	
Briefing paper for the Scrutiny Committee	
Other – Scrutiny Task and Finish Working Group Report	X

The Scrutiny Committee is being asked to:

Approve the report and recommendations (**Appendix A**) and provide any comment / feedback

Background Papers: n/a
Category of Report: OPEN

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*FINAL DRAFT FOR CONSIDERATION BY ECONOMIC AND
ENVIRONMENTAL WELLBEING SCRUTINY AND POLICY DEVELOPMENT
COMMITTEE*

Western Road First World War Memorial Scrutiny Task and Finish Working Group

Economic and Environmental Wellbeing Scrutiny
and Policy Development Committee – May 2017

Findings and recommendations of the cross party working group of members from Economic
and Environmental Wellbeing Scrutiny and Policy Development Committee

Contents

OVERVIEW	2
Members	3
The Petition and Terms of Reference.....	3
Timeline of activity	3
APPROACH.....	4
Context.....	4
Our approach	6
FINDINGS.....	8
Memorial	8
Communication and engagement	9
Technical.....	10
Commitments by Sheffield Council	12
Petition.....	12
Political Issues.....	12
Future Considerations	12
RECOMMENDATIONS.....	14
Western Road War Memorial	14
Communication and Engagement.....	15
Technical.....	15
Economic and Environmental Scrutiny and Policy Development Committee	15
CONCLUSION	16
APPENDIX 1 - Community Evidence.....	17
APPENDIX 2 - Evidence from Ward Members.....	20
APPENDIX 3 – Documentary Evidence	23

Western Road First World War Memorial Scrutiny Task and Finish Working Group

Economic and Environmental Wellbeing Scrutiny and Policy Development Committee – May 2017

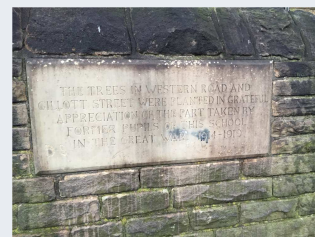
OVERVIEW

The cross-party Scrutiny Working Group of the Economic and Environmental Wellbeing Scrutiny and Policy Development Committee was set up in response to a petition submitted January 2017 to Sheffield City Council and was tasked by Full Council to gather information and evidence in relation to the Western Road First World War Memorial. After completing evidence and information gathering, this report has been drafted for consideration by the full Scrutiny Committee that will then present its findings and recommendations to Sheffield City Council for decision. Please note that the reporting process has been delayed as a result of Pre-Election Rules on Publicity (PERP also known as Purdah) coming into force following the announcement of the General Election to be held on 8th June 2017.

The report includes information about the cross-party Scrutiny Working Group, its approach and findings. The report recommends that the Western Road War Memorial, where street trees are intrinsic, warrants a different approach in the

...

"The trees in Western Road and Gillott Street were planted in grateful appreciation of the part taken by former pupils of this school in the Great War 1914-1919"



[photo of wall of Westways School, Western Road - Note: Gillott Street is now known as Mona Avenue]

Streets Ahead programme ongoing contract and sets out a series of recommendations on three main themes:

1. The nature of the Western Road War Memorial, tree maintenance and management
2. Communication and engagement with residents
3. Analysis of Technical evidence

Whilst the recommendations relate to the specific purpose of the working group in regards to the Western Road First World War Memorial, we believe that they would be relevant to all war memorials in Sheffield where street trees are intrinsic.

Members

The Scrutiny Working Group, set up in January 2017 comprises seven members from Economic and Environmental Wellbeing Scrutiny and Policy Development Committee (2016/17), and is politically proportionate. Members are: Cllrs Lisa Banes (working group Chair), Neale Gibson, Abdul Khayum, Steve Wilson, Penny Baker, Martin Smith, Rob Murphy.

The Petition and Terms of Reference

On the January 2017 the Council resolved:

“That this Council notes the petition calling on the Council to “save Western Road First World War Memorial Trees from destruction”, acknowledges the work already initiated by the Council, as reported at this meeting, following the Notice of Motion containing reference to this matter which was considered at the last meeting of the Council, and refers the petition to the Economic and Environmental Wellbeing Scrutiny and Policy Development Committee to enable a cross party working group, working with relevant interested parties, to consider the issue and develop recommendations for the Committee to consider.”

The Scrutiny Working Group established its terms of reference based on the resolution, specifically in relation to the Western Road First World War Memorial and set out how it would gather information and evidence, and work with and, hear from a range of stakeholders and interested parties; and develop recommendations for the Committee to consider in regard to the future of the memorial.

Timeline of activity

- Draft Scope and membership of Scrutiny Working Group agreed by Economic and Environmental Wellbeing Scrutiny and Policy Development Committee – 25th January 2017
- Meetings of the Scrutiny Working Group 2017

- Monday 6th February - purpose, project plan, evidence
- Tuesday 14th February - with ward members and officers
- Friday 24th February - fact finding visit to Western Road
- Thursday 9th March - with ward members
- Tuesday 4th April – assimilate evidence, identify gaps, and with officers
- Thursday 6th April - community evidence sessions
- Friday 21st April - with officers and consideration of reports of the Independent Tree Panel and the Council’s technical report
- Friday 28th April - evidence review and formulation of recommendations
- Meeting of Chair with resident to share scrutiny working group process – Thursday 9th March
- Share draft recommendations with Economic and Environmental Wellbeing Scrutiny and Policy Development Committee – this was postponed as a result of PERP.

APPROACH

Context

Streets Ahead is a city wide highways maintenance contract between the Council and Amey to upgrade Sheffield’s roads, pavements, street lights, bridges and other items on and around Sheffield streets over a 25 year period. The programme began in 2012 and Amey are responsible for the work as part of a Private Finance Initiative (PFI).

A private finance initiative (PFI) is a method of providing funds for major **capital investments** where private firms are contracted to complete and manage public projects. Under a private finance initiative, the **private company**, instead of the government, handles the up-front costs. The project is then leased to the public, and the government authority makes annual payments to the **private company**.

<http://www.investopedia.com/terms/p/privatefinanceinitiative.asp#ixzz4j99qyGXD>

Part of the contract involves a street tree replacement programme.

The following extract from the Streets Ahead 5 Year Tree Management Strategy (2012-2017) explains the approach to removal of trees:

Streets Ahead 5 Year Tree Management Strategy (2012-2017)

(section 3.1 – 6Ds Criteria)

The removal of street trees will only be considered as a last resort where there are no other reasonably practicable management options available to ensure safety or prevent damage to surrounding structures. Removals will only be specified by suitably qualified and experienced surveyors and where necessary additional decay detection equipment will be used to confirm any recommendations. All trees removed will be replaced on a one for one basis the following planting season (November to March).

To ensure that Sheffield's street tree stock is maintained for future generations and to easily communicate the reason a tree needs to be replaced the trees are categorised into the 6Ds criteria namely:

- ∇ Dangerous
- ∇ Dead
- ∇ Diseased
- ∇ Dying
- ∇ Damaging
- ∇ Discriminatory

Where a street tree meets one or more of the criteria a further assessment is carried out to decide whether the tree should be removed and replaced.

<http://www.sheffield.gov.uk/home/roads-pavements/streets-ahead/streets-ahead-documents>

Following public concerns about some highway trees in earlier phases of the Streets Ahead tree replacement in the city, the Council set up an Independent Tree Panel to give advice. Chaired by Andy Buck, Chief Executive of Citizens Advice Sheffield, the Panel receives the responses to Amey consultation and the proposals for each tree on the affected streets where 50% of the responses raise concerns about the Council's proposals.

The Streets Ahead tree replacement programme includes Western Road First World War Memorial where the street trees are intrinsic to the memorial.

A total of 54 trees within Western Road corridor were initially surveyed by Amey as part of the PFI contractual agreement. Following this survey 23 trees were identified for replacement and 31 trees were identified for retention.

The Streets Ahead tree replacement programme has proved controversial. In the case of the street trees on Western Road which form a war memorial this prompted a petition that was submitted January 2017 to Sheffield City Council. The Scrutiny Working Group was set up following a resolution at Full Council referring the petition to the Economic and Environmental Scrutiny and Policy Development Committee for consideration.

Our approach

The Scrutiny Working Group was tasked to gather information and evidence to inform recommendations to be put to Sheffield City Council about the future of the Western Road First World War Memorial.

The primary purpose of the scrutiny function is to check that the Executive have undertaken considered decision making, robustly and professionally. As is consistent with normal practice of Scrutiny Task and Finish working groups, the Scrutiny Working Group agreed that our role was to listen and gather information from range of stakeholders, and make recommendations based on what we heard.

This was undertaken during a series of meetings of the group of Councillors that considered and discussed the evidence, and involved meeting with individuals and representatives of different organisations as part of this. The group also agreed that its role was not to supplant the role of the service in terms of making technical judgements on the evidence provided or to undertake any consultation activity that was the role of the services to perform. The group was also acutely aware of the need to listen to public concerns so organised open community evidence sessions to listen to the public.

Over a period of 11 weeks, stakeholders invited to meet with the working group to provide evidence and answer questions included:

- Two meetings with the three ward members for Crookes (Cllrs Anne Murphy, Adam Hanrahan and Craig Gamble-Pugh). The local Councillors also provided information to the group about stakeholders that we should speak to as part of the evidence gathering and helped inform our approach to the community evidence gathering in terms of timings, venues and communicating locally
- The lead petitioner (Dave Dillner)

- Three meetings with relevant Council officers including Paul Billington (Director of Culture and Environment), Lisa Firth (Head of Parks and Countryside), David Wain (Technical Officer, Environmental Maintenance) and John Jenkinson (Engineer, Project Manager)
- Community evidence sessions to hear from residents of Western Road, Mona Road and interested groups.

The community evidence sessions were held at two venues near Western Road. In advance of the sessions we delivered leaflets to residents, and emailed known contacts for groups to ensure they were aware of the opportunity to talk to members of the working group. In addition, we also invited people who were unable to attend the sessions to contact the group and submit their views by email.

Over the course of three meetings with officers from the Council and Streets Ahead, the report of the Independent Tree Panel on Western Road was shared and discussed along with information from Streets Ahead, including their response to the Independent Tree Panel report, as well as detail of a Council technical report prepared after the further exploratory work on site carried out by Amey. Members of the working group worked through the information from both sources, asking questions of clarification, engineering solutions, and possible future engineering options in regard Western Road and the war memorial trees.

The Scrutiny Working Group also looked at correspondence between the Council and the War Memorial Trust, and Council communications including the Sheffield Council News Releases in 2017 on Street Trees. This included a summary of the work already initiated by the Council, referenced in the Full Council resolution.

FINDINGS

Memorial

A Living War Memorial

We heard from the community that some trees are original and that some had been replanted at different times since, and that there is an emotional attachment to the mature trees. As a group we recognise that that Western Road is a living memorial to remember people and that this is an important concern of local people. We heard from people that there were originally 97 trees planted, but we were unable to verify the exact number. However, following the site visit and information from the community, we take the view that there were at one time more trees as part of the memorial than there are presently. Ward members reported that a resident had identified that originally 97 trees were planted in 1919, and that this is now reduced to 50+ trees.

A core message from local people is that they want to keep trees in Western Road. We heard different views on how this should be done, including keeping them at all costs using technical solutions available, and doing what is in the best interests of and safest for the residents. All submissions that we received called for a full recognition that it is a War Memorial that must be maintained and honoured.

The community evidence highlighted a desire for trees to be retained at all costs, unless they were dead or diseased, expressed for example in this comment *“Do the right thing, bring ... under control to stop them killing healthy trees and if need be, go the extra mile to save War Memorial Trees”*. (Appendix 1 – Community Evidence)

We also heard from those who submitted evidence that some people disagreed with the assessment of the state of the trees made by Streets Ahead. In addition we noted concerns from the community about the consistency of approach in the Streets Ahead assessment on individual trees.

Members of the group agreed trees are part of the memorial but not necessarily those specific trees, it is the concept of 97 trees and the stone plaque. An original wooden plaque is understood to be lost and with it any individual names of soldiers.

Lack of Maintenance

The Scrutiny Working Group heard from ward members about the lack of maintenance over a significant period of time at the Memorial and concerns and problems with trees raised by

residents. Members of the community suggested to the group that there were originally quite a few more on both sides of the street which have already been removed for safety reasons. We heard from residents they understand lack of maintenance, but healthy trees should be maintained, that *“The routine maintenance of the roadside trees was ignored by SCC for over twenty years due to cutbacks. This has led to a backlog of trimming and pruning”*. (Appendix 1 – Community Evidence)

The War Memorial Trust

The Scrutiny Working Group learned that officers had been in touch with the War Memorial Trust who are keen to look at the memorial. They heard that the War Memorial Trust’s interest was in preserving the war memorial and that they were able to advise on the stone used for the Memorial plaque. Where trees had been removed in the past and not replaced, they could support them to be reinstated which had not been the case in the past.

The Scrutiny Working Group noted that the War Memorial Trust had also advised not to move or clean the stone plaque, and that the trees had been planted in recognition. We heard that ward members have already been working with War Memorial Trust and British Legion.

Communication and engagement

Our approach to the community evidence sessions was to provide a drop-in format to enable people over an afternoon and evening to talk to members of the working group. Our intention was to listen and record people’s concerns.

We sought to be open and transparent about the role and purpose of the group, but we appreciate some people may have been confused about the purpose of the meeting and frustrated in that we were unable to answer all their questions.

We were also aware that some local people would have preferred a public meeting to talk directly with the service providers and those Councillors and officers responsible for making the decisions about the future of the ward memorial. We were also aware of communications to local people promoting the sessions as public meetings, but these were not produced or distributed by the working group.

Over the course of the two sessions 33 people attended and comment forms were completed during discussions with members of the working group. We also received 4 pre written sets of comments and 12 people submitted their comments by email. Of the 49 submissions received by either route, 21 are from residents of Western Road or Mona Avenue.

Based on conversations with individual stakeholder, the dialogue at the community evidence sessions, conversations, and indeed some of the critiques of the working group's approach we found a strong sense from some residents of a gap in engagement with the community on the Streets Ahead programme in relation to Western Road War Memorial trees.

The message we received from community submissions was of poor communication, that a *"failure to engage with the local community on this issue leads to a lack of trust and active mistrust"* and *"As long as we know what is going on, and why, I think people will be much happier"*. (Appendix 1 – Community Evidence)

Technical

The Scrutiny Working Group heard that as part of the initial consultation by Amey on the Western Road proposals, 151 households were surveyed and 62 responses were received. Ten respondents agreed with proposals, but as the number that disagreed exceeded 50% of responses, this triggered a referral to the Independent Tree Panel.

At a meeting with officers on 4th April the Scrutiny Working Group was made aware that Amey had carried out further exploratory works in early March, proactively lifting slabs, and carrying out air spading¹ to see what can be retained but from that work no additional retention solutions could be identified.

The Scrutiny Working Group at its meeting on 21st April received the report of the Independent Tree Panel, the panel having inspected the trees in preceding months, at the same meeting we received a Council technical report on Western Road and recommendations, following the panel report and Amey (Streets Ahead) exploratory work carried out early March 2017.

The working group noted differences between the above reports in the recommended solutions for some of the trees on Western Road. The group raised questions about solutions and the technical rationale for these in the highway environment with the relevant officers. The group is not in a position to make technical judgements but believe it would be appropriate for the service to explain their reasons behind their different response to recommendations of the Independent Tree Panel.

¹ Air Spade is equipment providing a jet of compressed air to a hand-held device which helps to excavate roots almost non-destructively.

In addition, during the working group's community evidence sessions and subsequent submissions we noted a number of professional and technical challenges to Streets Ahead original recommendations and therefore find that there is a need for dialogue on technical issues between the community and Streets Ahead.

The working group received submissions that suggested *"there seems to be a distinct lack of consistency regarding the decisions to remove trees in Sheffield, that trees are being removed for causing relatively small amounts of damage, whilst others are being retained for causing more significant damage. This kind of inconsistency and use of fallacious arguments for removal leads me to question the legitimacy of decisions made to fell so many trees in Sheffield"*. Further that the Independent Tree Panel is *"One-sided panel: no biologist/ecologist was included in the 'tree-expert' panel. So their decision ignores the role of mature trees"*. (Appendix 1 – Community Evidence)

More generally, we understand that the Streets Ahead contract will involve replacing trees that are planned to be removed, and recognise that the programme is intended to replace, replenish and rejuvenate street trees in Sheffield, that trees would be replaced with what is appropriate for a residential street. We also heard that tree planting is best carried out from September to April, and the replacement trees are selected in June. The working group learned that officers intended, as part of the replacement programme, to ensure that the most appropriate trees would be used to ensure the memorial is kept.

In response to the working group's questions about tree replacement options, officers confirmed that the replacement trees in contract are 'extra heavy standard' 8-10 year old trees approximately 2/3m high. The next step up is 'semi-mature' 3-4m high, that have a larger root ball leading to physical site limitations of where they can be used and problems keeping them alive while they acclimatise to a harsh highway environment.

We learned that possible measures to reduce growth through, for example, crown reductions, would be part of what is important in a pruning programme.

The Scrutiny Working Group also requested information about species, and whether the same types would be planted now. Officers indicated that they have no information about what tree species were originally planted but would not suggest nowadays planting Ash, and would choose to plant a tree species from a lengthy list of street trees that Streets Ahead use across the city, and such trees should also have a ceremonial/stately appearance when mature.

Commitments by Sheffield Council

We welcome and agree with all that has been said will be done by Sheffield City Council this year in regard to street trees. Especially the commitment to replanting and rededicating memorials over the coming months as referred to in News Release - *Street trees in Sheffield: Commitment to work better with residents to get the job done*, published 19th January 2017.

We understand from news releases this year the Council will continue to listen to the views of residents regarding the trees, working in a clear, transparent and collaborative way to regain the trust of people in Sheffield; and will publish easily understood Independent Tree Panel reports at least a week before any work begins on trees that need to be replaced; a refresh of Streets Ahead communications with residents was noted. (*News Releases: 19.01.2017, 01.02.2017, 24.03.2017 – Appendix 3*)

Petition

As part of our considerations the Scrutiny Working Group invited the lead petitioner, Dave Dillner, to a meeting on 28th April to discuss the petition and an opportunity to present further information. Members of the working group also appreciated the willingness of the petitioner to take questions from the group. The group heard that the lead petitioner was deeply concerned that the mention of trees was not in the title of the scrutiny working group title. The petitioner noted that trees are intrinsic to the war memorial of Western Road, that the memorial is the trees, and that it is a living memorial of trees. Mr. Dillner reiterated that his primary focus as petitioner is to save the trees, saving the trees that serve as a war memorial.

Political Issues

We received from the community in their evidence submissions comments that were beyond scrutiny working group scope, referencing political ideology, captured well in this statement taken from one submission "*seriously object to privatising of street*". (*Appendix 1- Community Evidence*)

Future Considerations

Having heard and considered the evidence, the Scrutiny Working Group found there may be further courses of action available in regard to balancing concerns about the future of the war memorial trees and highway requirements (Highways Act 1980). The group is not proposing or advocating any specific course of action at this point, but notes that these could include, but not exclusively:

- a highway scheme for Western Road and area

- possibly changed layout of footway and highway for trees in situ, and
- community management schemes.

We note these in recognition of comments submitted by members of the public at our community evidence sessions, and with the caveat that other courses of action would also be subject to further significant inquiry and consideration by the Council and not for conclusion by Western Road First World War Memorial Scrutiny Working Group.

Fuller evidence on which these findings are based can be found in Appendices 1, 2 & 3 covering evidence from the community, ward members, documentation and communications.

RECOMMENDATIONS

The working group's recommendations are across three themes:

- Western Road War Memorial
- Communication and engagement
- Technical

It is important to note here that whilst our recommendations relate to the specific purpose of the group in regards of the Western Road First World War Memorial, and recommendations are explicitly in regard to Western Road, we believe that they would be relevant to all war memorials in Sheffield where street trees are intrinsic. Each war memorial of street trees should be treated appropriately, recognising the elevated nature of a war memorial to honour and not diminish the trees.

Western Road War Memorial

1. We recommend that the Western Road war memorial, with its intrinsic avenue of trees, be considered differently to other street trees. That it should be seen as an exception to the norm, and that this recommendation does not extend to other types of war memorial.

2. We recommend that beyond the core investment period, the Council moves from a position of limited or no obvious maintenance, to a clear and stated proactive war memorial and tree management plan.

3. We recommend where practicable and affordable that engineering solutions are adopted to retain as many memorial trees on Western Road/Mona Avenue, as far as possible.

Communication and Engagement

4. We recommend that the Council look to restoring over time the Western Road War Memorial to its original concept. This would be subject to appropriate space, funding, and **agreement with residents on Western Road and Mona Avenue.**

5. We note and support the Council's commitment to '*replanting and rededicating memorials over the coming months*'. In regard to Western Road this could be with a view to unveil a fitting memorial in time for Centenary Anniversary of Armistice Day November 2018.

6. We ask the relevant Cabinet member to share with the public the immediate, medium and longer term, future maintenance plan for Western Road War Memorial street trees.

Technical

7. We recommend that the relevant Cabinet Member comes to the Economic and Environmental Scrutiny Committee to explain how they will respond to the differences and challenges identified in a) the Council's technical recommendations following the Independent Tree Panel report, and b), the technical submissions from the community; and also the ask for a technical dialogue between the community and Streets Ahead.

Economic and Environmental Scrutiny and Policy Development Committee

8. We ask that the Committee

- a) consider and approve the recommendations above,
- b) request that Cabinet provide an initial response to their recommendations by September 2017, or sooner,
- c) request that Cabinet provide a formal response for October 2017, and
- d) share the report with Council

CONCLUSION

Conclusion

Retaining the presence of trees on Western Road a War Memorial where street trees are intrinsic warrants a different approach in the Streets Ahead programme ongoing contract. The Council needs to adopt the approach of managed replenishment to maintain the integrity of the avenue of trees, and possibly restoration to the original intent.

The Economic and Environmental Wellbeing Scrutiny and Policy Development Committee requests that Cabinet provide an initial response to their recommendations by September 2017, or sooner, a formal response for October 2017, that this report is shared with Council.

Finally, (not least) we would like to thank all the members of the public, especially residents, individuals and community groups, who took time to engage in our evidence gathering sessions in person or submitted information, the local Ward Councillors, the lead petitioner, and the officers who contributed to the work and answered our questions diligently.

We recognise the considerable time and effort that that has been spent by groups and individuals on their own evidence gathering and thinking about potential solutions which we have absorbed and used to assist in our deliberations and inform our recommendations.

APPENDIX 1 - Community Evidence

This appendix includes comments from community evidence drop-in sessions held on Thursday 6th April, and information provided by email by those unable to attend.

At the community evidence drop-in sessions, there were 33 sign-ins, 33 comment forms were completed, 4 pre written comments were left and emails from 12 individuals received. Of 49 submissions received by either route, 21 are from residents of Western Road or Mona Avenue.

Analysis of the community evidence and comments submitted shows, that whilst a number of people covered a range of issues, there were 4 main topic areas. Comments submitted have been used to illustrate these areas:

1. Technical challenge and solutions

“there are several options to address the problem of the trees unfortunately someone or group will be disappointed with the chosen option ... ”

“I am quite sure if I had been a soldier in the Great War and had a tree planted in my honour I would be concerned if that tree was now causing inconvenience to disabled people today and would be quite happy to see an appropriate replacement tree planted in its place”

“there were originally quite a few more on both sides which have already been removed for safety reasons ...noticed where Amey have already completed their street works there are many newly planted trees which have mostly established themselves quite nicely”

Submissions from individuals included a report by an Arborist following a visit to Sheffield in March 2017, that report is referenced by a number of interest groups and community members, and this quote from it was referenced in a submission: “there seems to be a distinct lack of consistency regarding the decisions to remove trees in Sheffield. Footway damage and curb displacement seem to be widely used reasons for tree removal across the city. ... trees are being removed for causing relatively small amounts of damage, whilst others are being retained for causing more significant damage. This kind of inconsistency and use of fallacious arguments for removal leads me to question the legitimacy of decisions made to fell so many trees in Sheffield”

“Principle should be conservation, protect and conserve”

“I strongly oppose the felling of healthy mature trees in the city”

“it is quite clear if the problem is not addressed now then at some time in the future (5, 10, 20 years, or insert your own time interval) some remedial action will have to be carried out”

“The pavements along Western Road are in a very poor state of repair, making walking along Western Road hazardous for the elderly and visually impaired”

“priority is accessible pavements ... replacing of trees does not devalue the memorial ... unsure about some claims of tree benefits”

“understand lack of maintenance, but healthy trees should be maintained ... concerned with structure of house as tree very near house”

“trees have been mismanaged causing them to grow too big”

“needs long term plan, not suddenly cut down large numbers ... there are alternative solutions”

“in terms of footpath damage, it has always been like this – this is not a new issue. Is the choice no trees or limited damage. Over the years a number of trees have gone. If we work more slowly, the effect becomes a continuous process, we never have a situation of no mature trees”

“One-sided panel: no biologist/ecologist was included in the ‘tree-expert’ panel. So their decision ignores the role of mature trees”

“walk along Western Road to appreciate the green space. Important wildlife corridor”

“thinning the trees, improving the roads, creating one-way system, build outs”

2. Maintenance for a living memorial to honour the dead

“I especially oppose the felling of the war memorial trees on Western Road”

“wipe out memory of those who died”

“one of trees in memory of cousin”

“family attended Westways school”

“Do the right thing, bring ... under control to stop them killing healthy trees and if need be, go the extra mile to save War Memorial Trees”

3. Communication

“As long as we know what is going on, and why, I think people will be much happier”

“poor communication”

“failure to engage with the local community on this issue leads to a lack of trust and active mistrust”

“please connect better with residents – they feel distant from the Council”

“resident communication poorly handled”

“why can’t we see the Amey report on the roots/pavements, why can’t we see the ITP report?”

“main concern is that residents get the information from the tree report”

“imagination and goodwill needed to create a better solution”

4. Political Issues

“seriously object to privatising of street”

“The labour councillors have and are obviously acting under a party whip with regard to Sheffield’s ‘Street Trees’ making it a political issue rather than a pastoral issue.”

“The distorting pressures of the current PFI contract are leading to the felling of healthy trees for reasons other than public safety or access issues.”

“PFI’s, much favoured by New Labour, are highly questionable”

APPENDIX 2 - Evidence from Ward Members

Submitted at a meeting of scrutiny working group 14th February 2017

At a meeting of the Scrutiny Working Group on 14th February ward members provided information and views gathered over a number of years from their constituents and their own investigations. Key points are summarised below:

Voicing a view

Local ward councilors shared information relating to different views they had gathered and concerns about how best to ensure all voices were heard by the cross party working group. These included the need to be sensitive to the requirements of residents who were Veterans, and that whilst there were some strident voices on the issue locally, the group also needs to ensure that the quiet voice be supported to engage, to share their view and perspective.

Local Members also noted that First World War Veterans live(d) on Western Road and knew those boys whose part in the war the memorial appreciates, and that these trees are in tribute to. They also noted that residents understand the need to remove trees and want to see more planted, and that replacements should be mature trees rather than just 'saplings'.

They also reported views around uneven pavements not being an appropriate reason to fell healthy trees; and views around the need for semi-mature trees as an alternative in a highway environment, which would be more viable in the long term, and less prone to environmental affects e.g. wind, and vandalism.

Memorial

A local Councillor wanted to register that it is understood and accepted what trees are for and that the role of the trees in the memorial is important, particularly in relation to the size of trees and that the longevity of the memorial is a key issue.

They reported that as the trees mean a lot, local residents want the trees dealt with sensitively. It was noted that a resident had identified that originally 97 trees were planted in 1919, and that this is now reduced to 50+ trees. It was also reported that 64 out of 401 pupils of Westways School had died in the Great War.

The key message was that these trees have social, historical and cultural significance, and as an element of a war memorial, these trees are different to other street trees.

Ward members also noted that they have already been working with War Memorial Trust and British Legion.

Practical issues with trees

Local Members noted that some residents had indicated that trees on Western Road are overgrown, blocking light and warmth from sun, and requiring residents to have their heating and indoor lights on in daytime during the summer. These residents would prefer the trees to be replaced with more appropriate highway trees. Members also noted that concerns and problems with trees had been identified in 2014, that residents had informed them of:

- incidents of personal injury resulting from tree root trips
- people being unable to use slippery pavements because of sap/secretions under certain weather circumstances, and
- incidents of property damage from tree roots.

The Members also noted that the trees have an environmental importance, taking pollutants from the air on a busy road. They noted that residents have volunteered to assist with street maintenance such as clearing leaves and putting down grit. They informed the working group that there are 23 trees in the memorial identified for removal, 3 of which are dead or dying, with the remainder planned for removal because of pavement damage. Ward members said they wanted to know whether it was possible to use 'semi-mature' trees as an alternative in a highway environment.

Stakeholders

The Ward members suggested a range of stakeholders for the group to consider and invite evidence from.

The working group also talked with the local councilors about how best to involve the residents of Western Road, to ensure their voice was heard directly by the Group. The ward Members also noted that there are a number of individual local residents who have considerable expertise in local history, landscape management, and heritage and encouraged the group to take on board their evidence and that of experts who have been working with local community groups.

Ward members on 14th February 2017 also made a number of other points to the working group relating to, making a site visit and when might be best for that to take place, as well as the need for transparency and clarity around the work of the scrutiny working group and their approach to local engagement.

Ward Members also asked the working group to consider the policy context within which it is being asked to do its work e.g. whether there are adequate strategies/ policies in place for street trees and for memorials, whether exceptions to the policies are warranted, and the need for the recommendations to be evidence based including consideration of the comments made by community and local interest groups and the Independent Tree Panel Report.

Submitted at a meeting of scrutiny working group 9th March 2017

Ward members presented number of further matters at a second meeting with the working group in relation to community engagement, a public meeting, scrutiny working group purpose, Streets Ahead/Amey process, Western Road trees, and the War Memorial Trust.

Key points included:

- Questions about when and how community views will be heard and concerns around communication from Amey.
- Concerns that the Council has let people down on the trees and is not hearing the views of the residents on Western Road, many of who recognise that some trees might have to come out, but they should be replaced in sensitive way.
- Concerns about the range of engineering solutions referred to in the Streets Ahead contract, and discrepancies in which to be removed and not, to what extent the policy of solutions is being applied.
- The role of the working group in restoring the community faith in the council on trees and importance of communicating to people about its work.
- The role of the Scrutiny Working Group and their task of making recommendations after taking evidence, but not decisions on individual trees.
- The plans of the working group to engage with local residents with local members and Local Members views on how best to do this.
- Whether it is the responsibility of Amey to go above and beyond and consider changing the ownership of the memorial e.g. Asset of Community Value or Community Land Trusts. The working group discussed changing ownership and relating to liability for fallen trees and issues around unadopting parts of the highway.
- Whether funding for engineering solutions can be found for this memorial under the war memorial policy.
- The lack of maintenance of trees at the Memorial over a significant period
- Engagement by a ward Member with the War Memorial Trust who shared that they advise conservation and best practice and advocate to preserve and restore.
- In response to questions from the working group ward members replied:
 - the vista is as now, and would not want 97 trees on Western Road only, some were replaced previously; that should conserve and keep what is there as much as possible, if desirable restore back up to original intention.
 - To restore is a different ask, the memorial is not the view, it is the trees, they are the living memorial. Ward members emphasised retention of a memorial is what is important and that they would need to ask the residents what they want if an intention to restore to 97 trees on Western Road and Mona Avenue (Gillott Street).

APPENDIX 3 – Documentary Evidence

a. Technical and Independent Information

Independent Tree Panel Report – to be published 19 July 2017

Council's Technical Report – to be published 19 July 2017

Both to be found here:

<https://www.sheffield.gov.uk/home/roads-pavements/managing-street-trees>

b. Public communications published by Sheffield City Council

<http://www.sheffieldnewsroom.co.uk/streettrees/> - 19 January 2017

<http://www.sheffieldnewsroom.co.uk/street-trees-myth/> - 01 February 2017

<http://www.sheffieldnewsroom.co.uk/householdsurveyssummary/> - 24 March 2017

c. Streets Ahead Documents

<http://www.sheffield.gov.uk/home/roads-pavements/streets-ahead/streets-ahead-documents>