

Agenda Item 4

CITY OF SHEFFIELD

METROPOLITAN DISTRICT

MEETING OF THE CITY COUNCIL – 28TH MARCH, 2018

COPIES OF QUESTIONS AND ANSWERS THERETO

| <u>Questions</u> | <u>Answers</u> |
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| <u>Questions of Councillor Shaffaq Mohammed to the Leader of the Council (Councillor Julie Dore)</u> | |
| 1. At the last Council meeting (7 th March), you told full Council that you had met with Amey to renegotiate the StreetsAhead contract. On what date did this happen? | The minutes for this question say “Councillor Julie Dore responded that the Council had looked at various issues relating to the Streets Ahead contract, including varying the contract, renegotiating and terminating the contract. This was mainly in the context of austerity and budget cuts affecting the Council, and the highways contract had been examined to see whether savings could be found”. She said that there would be consequences if a contract was terminated and there would also be substantial costs. She also stated that the Council would not move funding from other critical services which it provided to fund the highways contract.” |
| 2. At this meeting, which Councillors and which officers attended with you? | See answer above. |
| 3. How many meetings since the first renegotiation meeting have occurred and on what dates? | See answer above. |

Questions of Councillor Adam Hanrahan to the Leader of the Council (Councillor Julie Dore)

1. Did you, your Deputy or any representative of yours, agree to the decision taken by the Chief Executive and the Monitoring Officer to exclude certain members of the public from the Public Gallery at the last Council meeting? No.

2. Please provide any and all written communication regarding the above decision within 10 working days. (If it is not you who provides the answer to question 1 above, then this question should subsequently be answered by that individual also).
3. Do you think it right that members of the public should be turned away from observing the democratic processes of this Council, a right which is enshrined in our Council Constitution?
4. Do you think it right that members of the public should take time to travel to the Town Hall and only then be told that they would not be able to observe the democratic processes of this Council?
5. Did you, your Deputy or any representative of yours, see and/or agree to the list of individuals who would not be allowed to observe the Council meeting, a right which is enshrined in our Council Constitution?
6. Why were the 'additional security measures' not publicised in advance of the Council meeting publicly or to Councillors?
7. Who made the decision to initially redact those sections of the Amey StreetsAhead contract which have been released this month?
8. What reason(s) was initially given for redacting those sections?
- As I have stated above I was not involved in this decision and therefore do not have written correspondence on it.
- All members of the public are able and are actively encouraged to attend our public meetings but like everyone they should abide by the rules of the building to ensure the safety of staff and other users. If someone has broken these rules, I think there are circumstances in which it is reasonable to refuse admittance.
- See response to 3.
- No.
- In the interests of security.
- This question has been answered by Councillor Lodge.
- This question has been answered by Councillor Lodge.

Questions of Councillor Douglas Johnson to the Leader of the Council (Councillor Julie Dore)

1. When does the Council intend to publish its gender pay gap data? This will be published very shortly.

2. What steps does the Administration propose to take to address the gender pay gap?

After further detailed analysis of gender pay gap data, we will develop an action plan to address the gap in consultation and discussion with our equalities groups and trade union representatives.

Questions of Councillor Adam Hanrahan to Councillor Olivia Blake (Cabinet Member for Finance)

1. How long will the web links to the budget documents and the budget implementation plans remain live?
There are no plans to remove links to budget books and supporting implementation plans.
2. Do you think it right that members of the public should be turned away from observing the democratic processes of this Council, a right which is enshrined in our Council Constitution?
All members of the public are able and are actively encouraged to attend our public meetings but like everyone they should abide by the rules of the building to ensure the safety of staff and other users. If someone has broken these rules, I think there are circumstances in which it is reasonable to refuse admittance.
3. Do you think it right that members of the public should take time to travel to the Town Hall and only then be told that they would not be able to observe the democratic processes of this Council?
See above.

Questions of Councillor Douglas Johnson to Councillor Olivia Blake (Cabinet Member for Finance)

1. What categories of information were provided to you in the confidential annex to the public report on the disposal of Mount Pleasant?
Information relating to the financial or business affairs of any particular person (including the authority holding that information).
2. How many pages of information were provided to you that were not disclosed to the public?
There were two pages with tables of information.
3. What lessons have been learned from this process for future occasions?
Scrutiny upheld the decision on a cross party basis, you are able to view their recommendations.

Questions of Councillor Steve Ayris to Councillor Cate McDonald (Cabinet Member for Health and Social Care) to be answered by Councillor Olivia Blake (Cabinet Member for Finance).

1. Your response to my questions to you at the Council meeting in December regarding the advertising of Hurlfield View for sale, with a guide price of £350,000 - £400,000, was that "no decision has been made to sell Hurlfield View. The property was initially put up

for sale in error. This was quickly spotted and rectified" and that "we are currently considering options for future use."

Please could you bring Council up to date on Hurlfield View and any plans under consideration for its further, future use or development by the Council or any other interested party/ies, in particular:

(a) is it still on the market? For sale? Under offer subject to contract? Is it now subject to any revised plan/s?

As stated in the answer you have referred to, we are still considering the options for future use, it is not on the market.

(b) have any purchasers/developers expressed an interest in purchasing/developing the property? If so, is/are the proposed purpose/s for its future use known?

As stated above, we are still considering options for future use.

(c) has the Council considered a public/private partnership arrangement for the continued use of Hurlfield View as a care home or any other related public service use (e.g. a GP practice, a regional emergency medical centre, or similar)?

We are not aware of the development of any specific proposal around the idea you have mentioned.

Questions of Councillor Martin Smith to Councillor Ben Curran (Cabinet Member for Planning and Development)

1. Have you received recommendations from Council Officers on the process to be followed for allocating the local element of the Community Infrastructure Levy? Yes.
2. When did you receive those recommendations? February.
3. When will the final process be published? April.

Question of Councillor Penny Baker to Councillor Jayne Dunn (Cabinet Member for Neighbourhoods and Community Safety)

With regard to the Local Area Partnership review, when can Councillors have an update on the progress of said review?

This is currently being worked on and an update will be provided in the summer time.

Questions of Councillor Martin Smith to Councillor Mazher Iqbal (Cabinet Member for Business and Investment)

1. With regard to the New Retail Quarter / Heart of the City project, how much has the Council paid Queensberry Real Estate since their appointment to the project in June 2016? £1.32m
2. How many RIDDOR safety incidents have there been to date during construction of the HSBC building? None

Questions of Councillor Paul Scriven to Councillor Mazher Iqbal (Cabinet Member for Business and Investment)

1. What income percentage will the Council get for the sale of data to third parties from the free City Centre Wifi? Personal data will not be sold to third parties. Aggregated anonymous data may be sold to third parties. The Council will not receive income specifically related to the sale of aggregated anonymous data – so it is not possible to give a percentage figure.
2. Also, what types of organisations have the Council said data from the city centre WiFi scheme can't be sold to? We do not have a specific list of organisations that aggregated anonymous data cannot be sold to; there are contractual mechanisms to prevent any uses that would bring the Council into disrepute. For example, the services must be provided in a way such that: "There should be no (or minimal) legal, financial or reputational risk to the Council"; that provides "a high quality customer experience for access, registration and use"; and, that is a "family friendly experience". Idaq is also obliged to "at all times act in such a manner as to enhance the image and reputation of the Council". Idaq and the Council have also agreed to open book accounting, so the Council will be able to see which organisations have purchased aggregated anonymous data if required.
3. Who does the Council sell or have a commercial return from for data it holds. The Council has established an Open Data Website where it routinely

Can you list all data given over and to what organisations?

publishes data/information for members of the public to download and reuse how they wish.

The website can be found here:
<https://data.sheffield.gov.uk/>

Questions of Councillor Gail Smith to Councillor Bryan Lodge (Cabinet Member for the Environment and Streetscene)

1. Do you stand by comments you made in August, 2017 that Sheffield City Council would face "catastrophic financial consequences" if 500 trees were not felled by the end of 2017?

This comment, which you have quoted out of context, was about milestone targets which were expected to be achieved by the end of the CIP stage of the Streets Ahead contract. These include the upgrading of roads and footways, replacing a number of street lighting columns, bringing a number of bridges and structures up to standard and installing a number of traffic signals. The street tree replacement works are an integral part of the road and footway resurfacing.

Despite a number of protestors continuing to breach a High Court injunction by trespassing into safety zones around tree works, Amey have managed to meet their contractual road and footway targets. There are, however, still streets to be completed where protestors have prevented the tree replacement work which, in turn, has resulted in some residents not getting work on their street completed.

2. How many out of the 500 trees were felled by the end of 2017?

There are in the region of 250 trees still to be replaced that were intended to be done by the end of 2017. This has resulted in residents on the roads affected not getting their roads and pavements improved.

3. Has the Council been fined by Amey for the 500 trees which still remain? If so, how much was the Council fined?

Amey do not fine SCC.

Questions of Councillor Martin Smith to Councillor Bryan Lodge (Cabinet Member for the Environment and Streetscene)

1. In each of the last six years, how many pavement-related accidents were

2012 - 34
2013 - 209

reported to the Council? To be clear, I would like to know the annual splits in the total figure of 808 provided last month.

2014 - 168
2015 - 166
2016 - 106
2017 - 115
2018 – 10

Total 808

2. In each of the last six years, how many personal injury claims did the Council receive relating to such accidents? To be clear, I would like to know the annual splits in the total figure of 629 provided last month.

2012 - 15
2013 - 148
2014 - 121
2015 - 147
2016 - 105
2017 - 92
2018 – 1

Total 629

3. Does the Amey contract contain a clause requiring them and their subcontractors to assist and cooperate with the Council to enable the Council to comply with its information disclosure requirements?
4. If the Amey contract contains such a clause, does it specify a time period within which it has to respond and, if so, what is that time period?

Yes. Please refer to the redacted contract on the Council's website – clause 90.

See response above.

Questions of Councillor Paul Scriven to Councillor Bryan Lodge (Cabinet Member for the Environment and Streetscene)

1. How many meetings between South Yorkshire Police and the Council have taken place since the start of the year to discuss tree felling?
2. Who from Sheffield City Council (job title) has attended such meetings?

5.

Director of Culture and Environment

Head of Highways

Communications Officer

Cabinet Member (Observer role at 1 meeting).

3. What is the briefing mechanism for the Member of the Cabinet about the

Director briefs Cabinet member on a regular basis and by telephone.

- meetings and how often have you been briefed about the meetings?
4. Who (job title) from Sheffield City Council has been present in the Police Command Centre whilst live feed of CCTV images of tree felling operations have been fed in?
5. What is the purpose and reason for Sheffield City Council to sit in the Police Command Centre for tree felling operations?
6. How many times this year has either the Council or their contractor Amey asked South Yorkshire Police to be present at tree felling operations? Of these requests, how many were either from the Council solely or jointly the Council and Amey?
7. Who gave political agreement to the Council being co-located at South Yorkshire Police premises for tree felling operations?
8. Which Cabinet Members have known about the co-location of Council staff at the South Yorkshire Police premises for tree felling operations and when did they know about this?
9. What is the purpose of joint location of Council staff at South Yorkshire Police premises for tree felling?
- Number of calls is not recorded
- One officer attends on a rota basis shared between Director of Culture and Environment, Head of Highways and Highways Officers.
- A communications officer attended the first couple of sessions, but no longer attends.
- Council attends in our role as Highways Authority and any associated decisions or communications. For example to answer questions on land ownership, TTROs etc. Operational planning and delivery is led by Amey. SYP role is to ensure safety and prevent crime. The Council has no role in operational planning or delivery
- The police make their own assessment and decisions on their attendance on site following discussion with Amey
- The Director of Culture and Environment took the decision and no political agreement was required.
- I am aware of the Command Centre and the Council's role. I was aware of this from the point that the police decided they should play a role and establish a Command Centre.
- See answer to Q 5.

Questions of Councillor Adam Hanrahan to Councillor Bryan Lodge (Cabinet Member for the Environment and Streetscene)

1. Following the Cabinet decision to cut

We are working through the War

down those trees marked for felling on Western Road in my ward, can you provide any further information on that decision regarding the implementation date?

2. What meetings have you had during which the Western Road trees were mentioned since that Cabinet decision?
3. Has anyone discussed with South Yorkshire Police the felling of Western Road trees?
4. If not, will there be joint planning between the Council/Amey and SYP for felling on Western Road?
5. Which parts of the recently released, previously redacted sections of the contract, were considered 'commercially sensitive'?
6. Who made that determination?
7. Which officer signed the Amey StreetsAhead contract? What position did they hold at the time?
8. On 13th March, on BBC Radio Sheffield you said 'I've read elements of the contract that I need to read'. Who has determined which sections of the contract you need to read?

Memorial streets to engage further with residents about the proposals. Plans for Western Road are still under consideration.

None.

No.

As stated in the answers above, no one has discussed Western Road Trees with South Yorkshire Police and we will be engaging with residents about the proposals.

Any element of the contract where, if the information were to be released could be disadvantageous to either the Council or Amey in future tender processes.

Representatives from the Council's Legal Services; Procurement and Supply Chain Service; and FOIA team.

A Council lawyer signed the contract under delegated powers from the Director of Legal and Governance.

I did.

Question of Councillor Colin Ross to Councillor Bryan Lodge (Cabinet Member for the Environment and Streetscene)

Whilst it is a welcome development that there is now one extra Green Bin collection, it appears that there are now two more collections at the start of the year and the service now ceases a fortnight earlier than before. Given that

This year, the Council has been able to secure a better service from Veolia, not only is it £5 cheaper than last year, but residents also receive 16 collections rather than 15 in 2017. The service is starting at Easter to

the growing season and autumn leaf fall is getting later in the year due to climate change, it would seem that extending the collection later into November rather than stopping it earlier would have provided the most useful service to customers. Could you please explain the rationale for the alterations to the collection dates?

coincide with the significant increase in the amount of green waste being produced by households across the City, which is reflected in the amount being taken to the Household Waste Recycling centres. By November, the amount of green waste being taken to the centres, is half of that taken in October and just a third of what is accepted in April.

Question of Councillor Douglas Johnson to Councillor Bryan Lodge (Cabinet Member for the Environment and Streetscene)

At the Council meeting on 7th March 2018, you stated that “there are no plans to fell the Chelsea Road Elm.” Do you still stand by that statement?

That was in the context of the work to relocate the butterfly and carry out safety works. It was made clear to your party Councillors in several meetings that this was the case. We have gone on record as saying that the tree is under no immediate threat given the butterfly mitigation plan has to be given time for implementation.

Question of Councillor Magid Magid to Councillor Bryan Lodge (Cabinet Member for the Environment and Streetscene)

What contribution has Amey made to the cost of policing to assist them carrying out their tree-felling and street maintenance operations?

This is a matter for South Yorkshire Police.

Questions of Councillor Alison Teal to Councillor Bryan Lodge (Cabinet Member for the Environment and Streetscene)

1. Have you received information regarding the cost of the involvement of South Yorkshire Police in the operations facilitating the tree felling programme and can you please make this information public?
2. Can you please make the annually updated Highway Tree Replacement Policy from 2012 to the present publicly available?
3. Can you please make the annually updated Annual Tree Management Programme from 2012 to the present publicly available?

No.

This will be released as part of the review of the redacted contract.

This plan has been requested under a number of FOIs and will be responded to in accordance with the FOIA timescales.

4. The following section of the contract:

*6.38 The Service Provider **shall** replace Highway Trees in accordance with the Annual Tree Management Programme at a rate of **not less than** 200 per year so that 17,500 Highways Trees are replaced by the end of the Term, such replacement to be in accordance with the Highway Tree Replacement Policy, unless Authority Approval has been obtained for deviation from this policy.*

states that 17,500 trees will be felled by the end of the contract. Given that you have publicly stated that the figure of 17,500 is a number that Amey may fell on a needs basis if necessary, you must have varied the contract from the above 6.38 clause. Can you please provide the information which shows what the contract has been varied to, what does it say now?

5. You claim that trees are only felled according to the six D's criteria and yet the six D's were not written into the contract. Was this a variation to the contract?
6. Your claim that trees are only removed as a last resort does not appear to be true when the Council have signed a contract to remove a set number of trees (17,500), particularly given the Elliott Consultancy (2008) survey recommended approximately 1,000 trees may need to be replaced. How can the public have confidence in your claims?

Trees are replaced on a need basis. We are not at the end of the contract so there is no variation necessary.

The six D's criteria is clearly set out in the Streets Ahead Five Year Tree Management Strategy which says 'This Tree Management Strategy sets out Streets Ahead's approach to delivering the Tree Management Service.'

See answer above. Trees are only replaced in line with the criteria set out in the Tree Management Strategy which says '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).

7. Why do you continue to state 17,500 trees to fell is not a factual statement written into the contract? It is clear from 6.38 above that 17,500 'shall' be felled and 'replaced.'
- See answer above.

Questions of Councillor Steve Ayris to Councillor Cate McDonald (Cabinet Member for Health and Social Care)

1. Your response to my questions to you at the Council meeting in December regarding the advertising of Hurlfield View for sale, with a guide price of £350,000 - £400,000, was that "no decision has been made to sell Hurlfield View. The property was initially put up for sale in error. This was quickly spotted and rectified" and that "we are currently considering options for future use."

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Questions to be answered by Councillor Blake.

(b) have any purchasers/developers expressed an interest in purchasing/developing the property? If so, is/are the proposed purpose/s for its future use known?

Questions to be answered by Councillor Blake.

(c) has the Council considered a public/private partnership arrangement for the continued use of Hurlfield View as a care home or any other related public service use (e.g. a GP practice, a regional emergency medical centre, or similar)?

Questions to be answered by Councillor Blake.

2. What representation have you made to the Clinical Commissioning Group to abandon any plans to close the Walk-In Centre at Broad Lane or the Minor Injuries Unit at the Royal Hallamshire Hospital, following Council's Notice of Motion on the issue?

In accordance with the Council Resolution on 6th December, a letter was sent to Sir Simon Stevens.

I have also made the CCG aware of the Council position.

3. When did you make that representation?

The letter was sent on 13th December. I have had numerous

discussions with the CCG during which the Council's position was made clear.

Question of Councillor Martin Smith to Councillor Jack Scott (Cabinet Member for Transport and Sustainability)

I understand there are problems with funding the pedestrian crossing on Baslow Road that is a planning condition for the expansion of Totley Primary School. What is the Council doing to resolve this?

This infrastructure remains a planning requirement. There are no significant issues impeding its delivery.

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