



Report to Policy Committee

Author/Lead Officer of Report: James Henderson, Director of Policy and Democratic Engagement

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Report of: *Director of Policy and Democratic Engagement*

Report to: *Strategy and Resources Committee*

Date of Decision: *21 December 2023*

Subject: *Street Tree Inquiry – Progress Monitoring*

Type of Equality Impact Assessment (EIA) undertaken Reference Number 2121	Initial <input type="checkbox"/>	Full <input checked="" type="checkbox"/>
Has appropriate consultation/engagement taken place?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Has a Climate Impact Assessment (CIA) been undertaken?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Does the report contain confidential or exempt information?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

Purpose of Report:

This report is provided to Strategy and Resources Committee as agreed at their meeting on 19 June 2023 to provide an update on progress made towards the actions agreed as part of the Council's response to the Independent Street Tree Inquiry. It highlights the work done to date to deliver the agreed actions and sets out proposed next steps.

Recommendations:

That the Strategy and Resources Committee:

1. *Note the progress made towards the actions agreed in the June 2023 'Learning from the past and moving ahead: response to the Sheffield Street Tree Inquiry' report*
2. *Agree the proposed next steps, as set out at para 1.33 of this report*
3. *Agree to receive a further report in July 2024 on progress towards the recommendations agreed in the June 2023 report*

Background Papers:

(Insert details of any background papers used in the compilation of the report.)

Report of the [Sheffield Street Trees Inquiry](#)

[Learning from the past and moving ahead](#): response to the Sheffield Street Tree Inquiry

Lead Officer to complete:-		
1	I have consulted the relevant departments in respect of any relevant implications indicated on the Statutory and Council Policy Checklist, and comments have been incorporated / additional forms completed / EIA completed.	Finance: <i>Liz Gough, Head of Service Finance and Commercial Services</i>
		Legal: <i>David Hollis, General Counsel</i>
		Equalities & Consultation: <i>Adele Robinson, Equalities and Engagement Manager</i>
		Climate: <i>considered in service</i>
	<i>Legal, financial/commercial and equalities implications must be included within the report and the name of the officer consulted must be included above.</i>	
2	SLB member who approved submission:	<i>Kate Josephs, Chief Executive</i>
3	Committee Chair consulted:	<i>Cllr Tom Hunt</i>
4	I confirm that all necessary approval has been obtained in respect of the implications indicated on the Statutory and Council Policy Checklist and that the report has been approved for submission to the Committee by the SLB member indicated at 2. In addition, any additional forms have been completed and signed off as required at 1.	
	Lead Officer Name: <i>James Henderson</i>	Job Title: <i>Director of Policy and Democratic Engagement</i>
	Date: <i>13 December 2023</i>	

1. PROPOSAL

Background and introduction

- 1.1 In March 2023, Strategy and Resources Committee formally received the independent report into the Sheffield Street Trees Dispute, which was chaired by Sir Mark Lowcock. Subsequently, in June 2023, the Committee agreed the Council's response to the recommendations in that report, agreeing to all of the findings and recommendations (and in some cases going beyond what Sir Mark recommended) and setting out an action plan to ensure delivery of the change required.
- 1.2 Part of the next steps agreed in that report were for Strategy and Resources Committee to receive two progress reports to update the committee on the work done to date. This is the first of those two reports.
- 1.3 The draft Council Plan, endorsed by Strategy and Resources Committee at their meeting on 13 December, has as one of its key drivers a focus on people: "we will listen, involve and work with the people of our great city. We will celebrate and stand up for the diversity of Sheffield, maximising the assets and strengths of communities, connecting more people into the city's success and creating opportunities for everyone."
- 1.4 The Sheffield Street Trees Dispute was a dark period for the city of Sheffield and for Sheffield City Council in particular. As we develop and move forward as an organisation and begin to achieve the ambitions set out in the Council Plan, it is important that we ensure that we are doing all that we said that we would to learn from and avoid any repeat of the dispute. As Sir Mark said in his report: 'identifying a lesson is not the same as learning it'. By setting out the action we have taken and holding ourselves to account for the progress we have made, we seek to ensure that we are truly learning the lessons of that period.
- 1.5 The original action plan agreed by Strategy and Resources Committee was clear that there are no 'quick fixes'. The underlying issues identified by Sir Mark in his report were ones of culture. Those will take time to change. As such, some of the actions are long term and will require ongoing effort and focus. Good initial work has been made on many of those issues of culture including through the work of the Governance Committee on our formal decision-making arrangements, and through the developing Future Sheffield transformation programme which will help to create the organisation that we need to be for the future.
- 1.6 Our values are clear – together we get things done, people are at the heart of what we do, and openness and honesty are important to us. Those values have been shaped by our learning from the street trees dispute and inquiry and have been fundamental in how we have approached our work to address the recommendations made.

- 1.7 However, there are also a number of shorter-term, more immediate actions set out in the June report. These include both actions for the organisation, as a whole, on issues such as the provision of personal apologies, and specific actions to support the city's work on exemplary, partnership-driven street tree management.
- 1.8 Progress towards the latter set of actions on street tree management and the Streets Ahead programme is described in detail in a report to the Waste and Street Scene Policy Committee at its meeting on 20 December 2023, available here: [Agenda for Waste & Street Scene Policy Committee on Wednesday 20 December 2023, 10.00 am | Sheffield City Council](#). As such, this report is focused on the organisation-wide actions that were identified as being within the scope of the Strategy and Resources Committee when it agreed the action plan in June.

Progress to date

- 1.9 Appendix A to this report provides a detailed update on progress against each of the actions agreed by Strategy and Resources Committee in June. The progress made against each of the themes identified in the June report and any emerging risks to future delivery is summarised below.

Reconciliation

- 1.10 This area focused on the steps that needed to be taken for the council to publicly apologise for the mistakes that it had made, to apologise to those who had been harmed during the course of the street trees dispute (both individuals and organisations including the Police and courts), and to take visible steps to memorialise the dispute through the installation of a plaque in the Town Hall.
- 1.11 There has been substantial and focused work over the last six months to deliver the actions identified in the June report. Good progress has been made against each of these areas. All actions are either delivered or on track. We expect to continue to make strong progress on the remaining actions over the coming period.
- 1.12 The council issued a general, [public apology](#) as part of the discussion on the June report. This is hosted on the council's website and will be accessible in perpetuity through the street tree archive. All organisations identified in Sir Mark's report as being owed an apology have had that apology.
- 1.13 Immediately following publication of the Lowcock report, the council dropped outstanding pursuits of Court-ordered costs against individuals resulting from legal action during the course of the pursuit, and undertook to reimburse costs for those who had paid prior to that date. This was actioned immediately following publication of the report in March 2023 and was completed during April.
- 1.14 A process for issuing personal apologies to those harmed through the street trees dispute was established in line with the approach

recommended in the June report. This asked individuals who would like to receive an apology to request one through a dedicated street trees inbox. With the exception of those people who provided undertakings to the council or who were served an injunction (see paragraphs 1.16 and 1.17), all formal apologies are either complete or scheduled.

- 1.15 Those people who contacted the dedicated street trees inbox to request a written apology have all been provided with one. All those who have requested an in-person apology have received one, with the exception of two individuals whose apologies have been deferred to later in December at their request, and one person to whom dates have been offered but has not responded. Those apologies have been provided by the Leader of the Council, the Chief Executive or the Director of Policy and Democratic Engagement.
 - 1.16 With regard to apologies to the two people who were subject to the committal proceedings. The Council has been in direct contact with them about an apology and have engaged on its wording and how it might be framed. They are waiting for the draft apology to be provided to them.
 - 1.17 There are a further 11 individuals against whom the Council started proceedings who either had an initial apology in July, or for whom the Council did not have contact details to send the apology at that same time. These people are in a similar position and following discussion the Council has agreed that it will determine outstanding complaints from some of these before finalising revised apology wording for all of them. The complaints are being considered under the Council's complaints system.
 - 1.18 In line with the approach agreed by Strategy and Resources Committee, the Street Trees inbox has now been closed and the process for requesting an apology has been stood down.
 - 1.19 The apology to the court has not yet been issued but will be before the end of the calendar year. This has taken longer than envisaged. We are aware of the public interest in this apology and will look to make it public in due course.
 - 1.20 The Extraordinary General Meeting of Full Council which took place on 10 May 2023 passed a resolution which called for the installation of a plaque in the Town Hall to memorialise the dispute. There is more detail about progress towards this action in the report to the Waste and Street Scene Policy Committee, but good progress has been made, with designers commissioned and ongoing dialogue with key stakeholders including the Street Tree Partnership and Sheffield Tree Action Groups about the design of this plaque. A period of public consultation will follow, and the plaque is expected to be installed during the first part of 2024.
- Streets Ahead*
- 1.21 This area of agreed action was remitted to the Waste and Street Scene Policy Committee to oversee. This included work to support the ongoing

resilience and development of the Sheffield Street Trees Partnership; work to ensure that all outstanding roads have designs in place during the 2023/24 financial year and a clear schedule of works agreed with Amey; and work to support and enhance the ongoing contract management requirements for the Streets Ahead contract.

- 1.22 A detailed progress report was provided to the Waste and Street Scene committee for its meeting on 20 December 2023. In summary, good progress has been made on the actions to support the continued development of the street trees partnership and on enhancing the contract management arrangements through to the end of the contract.
- 1.23 The work to produce designs for the remaining streets from the Core Investment Period is underway; however, the challenges of designing solutions which retain as many trees as is possible whilst also delivering a safe, compliant and accessible highway network means that work has proven complex, causing some delays in the programme. As a result, additional capacity has been sourced to accelerate this element of the work. This should enable all designs to be produced by March 2024, as originally set out in the June report to this committee. Progress is tracked via Director of Street Scene & Regulations and Executive Director of Neighbourhoods.

Wider Council

- 1.24 This area of agreed action was focused on steps the wider council needed to take to change its culture and ways of working to ensure that the conditions that led to the street trees dispute were unable to reoccur in future. The Inquiry noted that similar issues of culture and governance had been found in other reports that had been received by the council, including the Race Equality Commission report and LGA Peer Review.
- 1.25 The Inquiry found that: “collectively, these reports demonstrate systemic issues of governance, information management, communication and engagement. They show that the same problems have occurred across different services, at different times and involving different people. They also warn the Council that these issues could reoccur on another topic if not addressed throughout the organisation. These issues need to be addressed collectively through improved processes and culture change.”
- 1.26 As Sir Mark Lowcock said at the EGM on 10 May, “large scale culture change is not something that can be achieved instantly. It will take time and effort, especially given the challenges the Council faces, not least financially.”
- 1.27 The June report to Strategy and Resources Committee noted, however, that work had already begun on embedding positive cultures and ways of working across the organisation, learning from good practice both internally and elsewhere. This included the developing work on Future Sheffield, the recommendations and implementation plans from the six-month review of governance, and the work that has been undertaken to develop and embed a new set of organisational values (“together we get

things done', 'people are at the heart of what we do', and 'openness and honesty are important to us').

1.28 In terms of the shorter-term actions agreed under this theme, the committee is asked to note the following:

- Having shared the Inquiry report with the Information Commissioner's Office (ICO), the ICO completed a consensual audit of the council in the summer of 2023. The audit focused on compliance with Freedom of Information legislation and gave the council a 'reasonable'¹ assurance. Thirteen recommendations were agreed with the ICO as part of the audit, two of which were urgent. The implementation date of the agreed actions range from autumn 2023 to summer 2024. Some actions have been completed, such as updating the Standard Operating Procedure and updating staff training. The council continues to make progress on the remaining recommendations which include the two urgent recommendations; these recommendations form part of the current phase of the Future Sheffield programme which is overseen by a cross party task and finish group of the Strategy & Resources Committee.
- The Local Government Ombudsman has been contacted to share the Inquiry report and the council's response to it with them. They have asked to be kept informed of progress of the complaints highlighted in paragraph 1.17.
- The Governance Committee has, following the publication of the 6 Month Review of Governance, undertaken work on public questions at committee meetings, published the Involve report on citizen involvement in the committee system, and has on its work programme for the rest of the year a significant piece of work on improving citizen participation in the system. This will include considering how the Local Area Committees can be strengthened and supported to develop, building on the success that they have had in the first two years of their operation.
- The Governance Committee has also sponsored work on Member development and training, including the relaunch of the Member development working group, updating the Member development strategy, and agreeing development priorities for Elected Members. These priorities include leadership and chairing and equality, diversity and inclusion. This has been supported by a grant of £50,000 made by the LGA following the December 2022 peer review.

¹ The four categories of assurance in the ICO's methodology are 'high', 'reasonable', 'limited' and 'very limited'

- 1.29 Furthermore, as part of the transformation programme we are developing for the council, improving and standardising community engagement and involvement practice and promoting excellence across the organisation will be key. The activities will directly support the achievement of the recommendations in the Lowcock Review around building a climate of engagement and improving the cultural aspects of governance.
- 1.30 The benefits of this work are already beginning to be felt. The City Goals work, led by a cross-partner task and finish group, and supported by SCC officers and funding has been based on a process of open engagement and collaboration with organisations, communities and individuals right across the city. It represents a new and innovative way of undertaking strategic development of this type, and relied on a culture of trust to work effectively. The City Goals will be brought forward to this committee for endorsement in the new year.
- 1.31 We are also soon to begin consultation on the Council's Equality Framework which, along with the Council's report on our race equality approach, also contribute to better engagement, particularly with communities who are marginalised or who may face structural barriers to engagement. Both of these reports are on the committee's agenda for consideration at this meeting.
- 1.32 The action to date is supporting us in the ongoing work to change the culture of Sheffield City Council. This requires sustained effort over the long term. The next actions we take in our approach to community engagement and involvement will aim to address inconsistency as there remain examples where our communities are not as fully involved as they should be in the decisions that affect them and their communities.

Next steps

- 1.33 Strategy and Resources Committee requested that a further update on progress towards the recommendations set out in the Lowcock report should be provided in July 2024.
- 1.34 By this point the following additional steps should have been completed:
- Installation of the plaque on the Town Hall
 - All outstanding apologies will have been made
 - The Governance Committee's work on public engagement and involvement will be underway, with initial findings made
 - Constitutional changes required as a result of the Governance Committee's work on public questions will have been made, with other subsequent changes also in place
 - A clear plan developed, linked to the outcomes in the Council Plan, on how we will transform our approach to community engagement and "will listen, involve and work with the people of our great city".
 - All outstanding designs for streets not addressed during the core investment period will be completed and work scheduled

2 HOW DOES THIS DECISION CONTRIBUTE?

- 2.1 This report responds directly to the priorities set out in the draft Council Plan 2024-28.
- 2.2 The draft Plan describes the council's commitment to 'a renewed relationship with Sheffielders, driven by trust, compassion and a desire to work together'. It describes the importance of revitalising our approach to community engagement, recognising the ideas, energy, commitment and value that our residents bring. And that we need to be focused on transforming our relationship with communities and residents to one in which we work to address opportunities and challenges together.
- 2.3 This report and the work responding to the Lowcock Inquiry, is a fundamental part of what the council is doing to rebuild and renew the relationship with the people of Sheffield, by building trust, following through on the things that we said that we would do, and taking steps to reform the culture of the organisation and to put people at the heart of what we do.

3. HAS THERE BEEN ANY CONSULTATION?

- 3.1 There has been no consultation undertaken as part of this update report. However the recommendations and actions that it is reporting against were developed using Sir Mark Lowcock's Inquiry report as a foundation. The Inquiry received over 1.1 million documents and met with 159 people in private and 26 people at 32 hours of public hearings.
- 3.2 The development of the actions was further supported by engagement with individuals and services across the Council, including senior management and elected members; Amey; representations from individuals and representative groups; an Implementation Working Group with attendees external to the Council; and the Extraordinary General Meeting (EGM) on 10 May, and the discussion sessions that followed it, which compiled views on implementation of the Streets Ahead recommendations.
- 3.3 Improving the council's approach to engagement and involvement is a key element of the actions agreed following the publication of the Inquiry report. An update on this work is provided above.

4. RISK ANALYSIS AND IMPLICATIONS OF THE DECISION

4.1 Equality Implications

- 4.1.1 There are no new equality impacts arising from this report that were not noted as part of the Equality Impact Assessment that was conducted for the June report. That EIA remains a live document and is reviewed and updated as required to ensure a full and current picture of the equalities implications of this work.

4.2 Financial and Commercial Implications

4.2.1 There are no new financial or commercial implications in this report. The activity described in the report has been funded through existing budgets and funding identified in the June report to Strategy & Resources to facilitate the report's recommendations.

4.3 Legal Implications

4.3.1 There are no new legal implications arising from this report.

4.4 Climate Implications

4.4.1 There are no climate implications arising from this report beyond those reported to Strategy and Resources Committee in June.

5. ALTERNATIVE OPTIONS CONSIDERED

5.1 This report was produced in accordance with the Strategy and Resources Committee's decision of 18 June 2023, requesting an update on progress made towards the recommendations made in the Sheffield Street Tree Inquiry report. The only alternative option would have been not to produce an update report, which has been discounted.

6. REASONS FOR RECOMMENDATIONS

6.1 By agreeing the recommendations, the committee will ensure that continued progress is made towards achieving the recommendations of the Street Tree Inquiry. This is a critical part of the journey of rebuilding the trust and confidence of our communities following the street tree dispute and will support the achievement of our Council Plan ambitions in this area.