

Minutes of the Extraordinary Meeting of the Council of the City of Sheffield held in the Town Hall, Pinstone Street, Sheffield, S1 2HH, on Wednesday 10 May 2023, at 2.00 pm, pursuant to notice duly given and Summonses duly served.

**PRESENT**

THE LORD MAYOR (Councillor Sioned-Mair Richards)

THE DEPUTY LORD MAYOR (Councillor Colin Ross)

1	<i>Beauchief &amp; Greenhill Ward</i> Simon Clement-Jones Richard Shaw Sophie Thornton	10	<i>East Ecclesfield Ward</i> Craig Gamble Pugh Alan Woodcock Robert Reiss	19	<i>Nether Edge &amp; Sharrow Ward</i> Nighat Basharat Ibby Ullah
2	<i>Beighton Ward</i> Kurtis Crossland Ann Woolhouse Ian Horner	11	<i>Ecclesall Ward</i> Roger Davison Barbara Masters Shaffaq Mohammed	20	<i>Park &amp; Arbourthorne</i> Ben Miskell Nabeela Mowlana Sophie Wilson
3	<i>Birley Ward</i>	12	<i>Firth Park Ward</i> Fran Belbin Abdul Khayum Abtisam Mohamed	21	<i>Richmond Ward</i> David Barker
4	<i>Broomhill &amp; Sharrow Vale Ward</i> Angela Argenzio Maleiki Haybe Brian Holmshaw	13	<i>Fulwood Ward</i> Sue Alston Andrew Sangar Cliff Woodcraft	22	<i>Shiregreen &amp; Brightside Ward</i> Dawn Dale
5	<i>Burngreave Ward</i> Talib Hussain Mark Jones Safiya Saeed	14	<i>Gleadless Valley Ward</i> Alexi Dimond Marieanne Elliot Paul Turpin	23	<i>Southey Ward</i> Mike Chaplin Jayne Dunn
6	<i>City Ward</i> Douglas Johnson Ruth Mersereau Martin Phipps	15	<i>Graves Park Ward</i> Ian Auckland Steve Ayris Mohammed Mahroof	24	<i>Stannington Ward</i> Penny Baker Vickie Priestley Richard Williams
7	<i>Crookes &amp; Crosspool Ward</i> Tim Huggan Ruth Milsom Minesh Parekh	16	<i>Hillsborough Ward</i> Christine Gilligan Kubo Henry Nottage Toby Mallinson	25	<i>Stocksbridge &amp; Upper Don Ward</i> Lewis Chinchin Janet Ridler
8	<i>Darnall Ward</i> Mazher Iqbal Mary Lea Zahira Naz	17	<i>Manor Castle Ward</i> Sioned-Mair Richards Laura Moynahan	26	<i>Walkley Ward</i> Tom Hunt Bernard Little Laura McClean
9	<i>Dore &amp; Totley Ward</i> Joe Otten Colin Ross Martin Smith	18	<i>Mosborough Ward</i> Tony Downing Gail Smith Glynis Chapman	27	<i>West Ecclesfield Ward</i> Alan Hooper Mike Levery Ann Whitaker
				28	<i>Woodhouse Ward</i> Mick Rooney Alison Norris

**1. APOLOGIES FOR ABSENCE**

- 1.1 Apologies for absence were received from Councillors Tony Damms, Mike Drabble, Denise Fox, Terry Fox, Julie Grocutt, Dianne Hurst, Bryan Lodge, Karen McGowan, Peter Price, Maroof Raouf, Garry Weatherall and Paul Wood.

**2. DECLARATIONS OF INTEREST**

- 2.1 There were no declarations of interest made by Members of the Council.

**3. TO CONSIDER THE IMPLICATIONS OF THE STREET TREE INQUIRY ON THE CITY, SHEFFIELD CITY COUNCIL AND ON COUNCILLORS INVOLVED IN THE DECISION MAKING AT THAT TIME.**

- 3.1 The Lord Mayor welcomed everyone to the Extraordinary General Meeting and explained that, though formalities would be kept where appropriate, the meeting would follow a different format that would include a session led by an independent facilitator to enable Members and the public to have an open and honest discussion.

- 3.2 RESOLVED: On the Motion of Councillor Fran Belbin, seconded by Councillor Joe Otten, that, in accordance with Council Procedural Rules 4 (Suspension and Amendment of Council Procedure Rules) and 11 (Motions which may be moved without notice):-

(a) Council Procedure Rule 17.6 (Time limit for debate) be suspended to remove the 25-minute time limit for the item of business; and

(b) it be noted that, at this Extraordinary Meeting, members of the public have been invited to submit comments, questions, or statements relevant to the issues being discussed on the agenda and that these will be responded to as part of the meeting today.

- 3.3 Presentation from Sir Mark Lowcock regarding the Sheffield Street Trees Inquiry Report

- 3.3.1 The Council received a presentation from Sir Mark Lowcock, author of the Sheffield Street Trees Inquiry Report, who attended the meeting via video link. Sir Mark thanked everyone who had contributed to the inquiry and noted that the report had been accepted by the Chief Executive and Leader of the Council promptly and unequivocally. Amey had recently issued a statement apologising for their role in the dispute and acknowledging their responsibility in finding and resourcing solutions to address issues within the Streets Ahead programme. Sir Mark also welcomed a statement issued by Sheffield Tree Action Group (STAG) apologising for distress or harm arising from the behaviour of the campaigners.

3.3.2 Sir Mark explained that, when determining the recommendations, the emphasis was on reconciliation, recovery from the dispute and learning lessons. The recommendations focussed on providing accountability and solutions for the future.

3.3.3 The inquiry found that the Council had got many things wrong and had not used its authority in a proportionate or appropriate way; however, it had not found that the Council had exceeded the use of its authority, undertaken criminal conduct, committed contempt of court or breached professional standards.

3.3.4 Sir Mark concluded by stating that he did not believe relitigating events that took place during the dispute or commissioning further investigations would be beneficial. Sir Mark explained that learning lessons to make improvements in the future should be the focus, adding that, to learn lessons successfully, discussion that broadened understanding and developed agreement on moving forwards was required.

#### 3.4 Statement from the Lord Mayor

3.4.1 The Lord Mayor gave an apology on behalf of all councillors, acknowledging that the street tree dispute was a dark period for Sheffield that was avoidable. The Lord Mayor stated that, during the design and implementation of the Streets Ahead contract, there was a sustained failure of strategic leadership and a series of mistakes and significant errors of judgment.

3.4.3 The Lord Mayor explained that the Council had fully accepted all the recommendations and conclusions in the inquiry report and had committed to implementing the recommendations, including making personal apologies where needed. The Council had taken immediate action to drop all remaining financial claims and all campaigners had been reimbursed.

3.4.4 The Chief Executive had been commissioned to bring a report to the Strategy and Resources Policy Committee in June 2023 setting out how the Council would fulfil each recommendation and describing, in detail, the process that the Council would undertake to ensure that lessons were truly and properly learned.

#### 3.5 Statement from the Chief Executive

3.5.1 The Chief Executive thanked all those involved in organising the Extraordinary General Meeting and welcomed the opportunity to approach Council meetings in a new way.

3.5.2 The Chief Executive stated that the Council was committed to making good on the promises made immediately after the publication of the inquiry report. The Leader and the Chief Executive had issued initial apologies and a full apology, in line with Sir Mark's recommendations, would be presented to

the Strategy and Resources Policy Committee in June 2023.

3.5.3 The Chief Executive stated that learning the lessons of the inquiry meant listening to the Council's staff, valuing their insight and treating them with kindness and respect, particularly at times of stress.

3.5.4 The report to the Strategy and Resources Policy Committee in June 2023 would set out how the Council would address the recommendations with actions, timescales and monitoring. The Chief Executive concluded by stating that the new senior officer leadership team was determined to work collaboratively in service to the city.

### 3.6 Public Comments, Questions or Statements

#### 3.6.1 Statement From Sheffield Tree Action Group (STAG)

*'The Sheffield Tree Action Group (STAG) welcomes Sir Mark Lowcock's findings. We do not need to revisit his very serious conclusions in this statement. Sir Mark showed us a devastating failure in leadership and a culture that, demonstrates a deep crisis, beyond the tree dispute, of leadership, accountability, openness, deep-seated hostility to challenge and a failure to regulate standards in public life. Leading politicians' aggressive responses to ANY criticism, reveals a deeply inappropriate culture.*

*'Councillors now have a historic opportunity to champion enduring cultural change. The recommendations in the Lowcock Report provide a framework for such change, as well as a focus for efforts towards reconciliation.*

*'Green spaces where people live are vital assets in our growing crises of health and biodiversity. We said that frequently throughout the dispute. As we move forward, the Local Plan and other policies must recognise the importance of street trees and green spaces right where people live and work. They will play an increasing role in the city's response to the health and nature crises and there must be a clear recognition of the ways in which street trees enhance well-being and amenity across the city. STAG will continue to promote these issues through the Street Tree Partnership and through our support for environmental education about the contribution of street trees in the public domain.*

*'The reach of the Lowcock Report goes way beyond the street trees dispute. That bitter dispute was symptomatic of a deeper cultural and governance crisis. Let's recognise that crisis and make it a driver for change and new confidence at all levels in the city, in the conduct of politics and administration of our affairs. Sheffield cannot afford to remain deaf to the legitimate concerns of its citizens. Public consultations must be meaningful. Decisions must be timely, transparent and well evidenced.*

*'Our city's reputation was damaged by the street trees dispute. Let's promote respectful debate and consensus and never again use othering and conflict as political tools. We ask the full Council to accept the findings*

*of the Lowcock Report and acknowledge their failings. Councillors must accept collective responsibility for ensuring that there is a comprehensive plan to implement all the Lowcock recommendations. That process must engage with stakeholders. STAG remains a committed contributor, ready to provide positive and well-informed perspectives to the change process.'*

In response, the Lord Mayor said that the comments from the STAG Elected Committee had been noted and would help to inform the positive and forward-looking discussions during the meeting.

### 3.6.2 Question from Calvin Payne

*'I would like to ask a question relating to the committal hearings against tree protesters; did the leader of the council support the attempts to imprison eight Sheffield tree protesters in 2017/18, and does he now think it was right for Sheffield City Council to do so?'*

In response, the Lord Mayor said that the Council had apologised publicly for the decision to pursue committal proceedings against tree protesters in 2017/18 and would build on this in the forthcoming report to the Strategy and Resources Policy Committee. The Council had dropped outstanding financial claims against the protesters and had gone further than Sir Mark's recommendation by repaying those who had already settled their claims.

### 3.6.3 Question from Benoit Compin

*'Now that the elections are out of the way, I'd like to know when this council will want to schedule any movement towards the reversion of my case at court. It would certainly be easier for me to claim a compensation out of public funds (council or police) for 2 counts of wrongful arrest and lies under oath at court from council officials I was subjected to. But I believe this council can help bringing justice to this matter in brief delays.*

*I would suggest that a meeting between myself and the legal department should be arranged at the earliest possible date.'*

In response, the Lord Mayor advised that the Council would meet with Mr Compin outside of the meeting to determine how best to resolve this issue.

### 3.6.4 Question from Russell Johnson

1. *'Does the current leadership regret that SCC sought to illegitimately imprison citizens during the Street Tree Scandal? Will it make appropriate reparations to those harmed?'*
2. *'Why has SCC failed, after many months, to respond to a formal complaint by the 'undertakers'? This was concerning intimidatory behaviour by SCC as evidenced by Lowcock. What is SCC's intention?'*
3. *'Would the Council encourage or welcome a Police investigation into possible Misuse of Public Monies, malfeasance or misfeasance or other criminality based on Lowcock and other evidence?'*

4. *'Does it remain the Council's view that the most effective way to address challenge is to ignore and obfuscate?'*
5. *'Does the current leadership regret that SCC sought to illegitimately imprison citizens during the Street Tree Scandal? Will it make appropriate reparations to those harmed? Would whoever is acting as Leader please say whether there can be real change in this Council whilst [name of Councillor redacted] and [name of Councillor redacted] remain as Members?'*

The Lord Mayor responded that the Council had publicly apologised for the decision to pursue committal proceedings against tree protestors in 2017/18 and would build on this further in the forthcoming report to Strategy and Resources Policy Committee. The Council had dropped outstanding financial claims against the protestors and had gone further than Sir Mark's recommendation by repaying those who had already settled their claims.

In relation to the complaint by the undertakers, the Council was still in the process of considering the complaint and the Council's response would be part of the report to the Strategy and Resources Policy Committee in June; those who had made the complaint would be kept informed of proposals.

Sir Mark's report was clear that there were no matters that needed to be considered by the Police and the Council had accepted Sir Mark's view that there was no criminality or misuse of public money.

The Council had committed publicly to being open and honest at all times, to engaging positively and proactively with the public and to hearing all perspectives and views before coming to a decision.

The final question would need to be addressed to the Councillors directly.

### 3.6.5 Question from Justin Buxton

*Justin Buxton had submitted the following questions:*

1. *Will all citizens intimidated with accusations and threats of legal action receive a personal and detailed apology?*
2. *Will the Council also publish a public apology recognising and unconditionally acknowledging the wrongful use of power resulting in misconduct by Sheffield City Council when purposefully intimidating individuals with demonstrably illegitimate legal threats of 'damages'?*

The Lord Mayor responded that the Strategy and Resources Policy Committee report would set out how members of the public who were harmed during the street trees dispute would be able to come forward. Those individuals who are known to the Council would be contacted directly to apologise.

As part of the Strategy and Resources Policy Committee report, the Council would make a full apology for the things that the Council got wrong during

the dispute in line with the recommendations that Sir Mark made in his report.

3.6.6 Question from Isabel O’Leary

*Isabel O’Leary asked if the Council had already commissioned, or was going to commission, from the Council’s auditors, a Public Interest Report to identify all the legal, financial and accountability implications of the Lowcock Report? This is needed so that the council can begin to systematically ensure that accountability is delivered. Will the Council install a plaque in the Town Hall to commemorate those who were affected by the Street Trees dispute?*

The Lord Mayor responded that the report to the Strategy and Resources Policy Committee would set out all the actions to be taken both in the short and long term with associated timeframes.

3.7 Motion to Change the Order of Council Business

3.7.1 It was moved by Councillor Sue Alston and seconded by Councillor Martin Phipps that the agenda be reordered to move the debate on the motion to before the workshop discussions. On being put to the vote, conducted by a show of hands, the motion was carried.

3.7.2 At this point in the proceedings, the meeting was adjourned to allow officers to arrange the distribution of the proposed motion and amendments. The meeting reconvened at approximately 4.30 p.m.

3.8 It was then formally moved by the Lord Mayor, and formally seconded by the Deputy Lord Mayor, that this Council:-

1. accepts:

(a) all the conclusions of the inquiry;

(b) all the recommendations of the inquiry;

(c) that we can all use this as a moment in time to reflect upon the broader implications for new ways of working across the Council;

2. believes the committee system is fundamentally different from the cabinet system and requires that committee chairs abide by the rules and spirit of new open, transparent and democratic ways of working and accepts the decision of the people of Sheffield expressed through the governance referendum;

3. commits to co-creation of solutions in relation to the inquiry including but not limited to:

(a) mechanisms that will provide better accountability for actions of

councillors, officers and other stakeholders;

(b) actions which meet each recommendation in the Inquiry Report;

4. resolves that Strategy and Resources Policy Committee; Audit and Standards Committee, Governance Committee and other committees as appropriate will be used as vehicles to drive this process in an open and transparent way.

3.9 Whereupon it was moved by Councillor Paul Turpin and seconded by Councillor Bernard Little as an amendment, that the Motion now submitted be amended by the addition of new paragraphs 5 to 9 as follows:-

5. notes the Lowcock report was commissioned as part of negotiations that took place in forming the Co-Operative Executive between Greens and Labour in 2021-2022 and that no-overall-control has been instrumental in introducing new ways of collaboration;
6. believes without the Council being in no-overall-control, the Lowcock report would not have been commissioned;
7. notes the Streets Ahead contract was a missed opportunity to redesign Sheffield's transport infrastructure when the decision to replace the infrastructure on a like-for-like basis was made and believes that many of the failings in policy within the contract can be attributed to a cabinet system that isolates an individual cabinet member;
8. requests Strategy and Resources Policy Committee install a plaque in the entrance of the Town Hall (alongside the Kinder Scout mass trespass plaque) in recognition of those who fought for our environmental heritage and were vindicated, and to serve as a reminder to all elected members that this failure of leadership will never happen again; and
9. requests that a timescale for implementing all actions arising from this EGM will be published no later than the end of June 2023.

3.10 It was then moved by Councillor Shaffaq Mohammed and seconded by Councillor Penny Baker as an amendment, that the motion now submitted be amended by the addition of new paragraphs 5 to 7 as follows:-

5. believes the committee system is an important part of a necessary broad cultural transformation, and in particular:-
  - (a) accepts and welcomes the decision of the people of Sheffield expressed through the governance referendum;
  - (b) expects committee chairs and others to abide by the rules and spirit of new, open, transparent and democratic ways of working;
  - (c) believes that the Nolan principles apply equally to both the cabinet



and committee system, and governance and culture should ensure that the Nolan principles are upheld; and

- (d) believes that following the vindication of concerned citizens who were stonewalled, accused of lying and subject to legal action, this Council must understand how processes, culture and individual actions led to these abuses of power, in order to ensure that accountable individuals take full responsibility and that the Council's processes and culture prevent such abuses in future.

6. condemns the harms identified by Sir Mark Lowcock, such as:-

- (a) the distressing experience of being arrested for protestors, many of whom experienced feelings of grief, anger and a lack of safety in the months and years afterwards;
- (b) the Council's wider hostile approach to protestors, which was dishonest, bullying, and destructive of public trust, caused significant distress, and was the "fuel that drove the protests";
- (c) the damage to Sheffield's reputation nationally and internationally, which was not understood by cabinet members at the time and continues to negatively influence perceptions of Sheffield; and
- (d) the harm to Council members of staff and Amey contractors, including to their career progression, mental and physical health, harassment in and out of work, and personal relationships, and notes that this was exacerbated by a lack of coordination and "political decisions quietly being blamed on officers" and questions whether the Council fulfilled its statutory duty of care to its employees; and

7. believes that for individuals who were council cabinet members in the civic years 2015/16 to 2017/18, resignation from public office would be an appropriate indication of acceptance of responsibility for the harms caused.

3.11 After contributions from nine other Members, the amendment moved by Councillor Paul Turpin was put to the vote and was carried.

3.11.1 (NOTE: The result of the vote was FOR – 71 Members; AGAINST – 0 Members; ABSTENTIONS – 0 Members. Although the Liberal Democrat Group Members voted for, they voted against Part 7 of the amendment. Although Councillor Sophie Wilson voted for, she abstained on Part 7 of the amendment.)

3.12 The amendment moved by Councillor Shaffaq Mohammed was then put to the vote and was carried.

3.12.1 (NOTE: The result of the vote was FOR – 71 Members; AGAINST – 0 Members; ABSTENTIONS – 0 Members. Although the Labour Group

Members and Councillor Sophie Wilson voted for, they voted against Part 7 of the amendment.)

- 3.13 The original Motion, as amended, was then put as a Substantive Motion in the following form and carried:-

RESOLVED: That this Council:-

1. accepts:
  - (a) all the conclusions of the inquiry;
  - (b) all the recommendations of the inquiry;
  - (c) that we can all use this as a moment in time to reflect upon the broader implications for new ways of working across the Council;
2. believes the committee system is fundamentally different from the cabinet system and requires that committee chairs abide by the rules and spirit of new open, transparent and democratic ways of working and accepts the decision of the people of Sheffield expressed through the governance referendum;
3. commits to co-creation of solutions in relation to the inquiry including but not limited to:
  - (a) mechanisms that will provide better accountability for actions of councillors, officers and other stakeholders; and
  - (b) actions which meet each recommendation in the Inquiry Report;
4. resolves that Strategy and Resources Policy Committee; Audit and Standards Committee, Governance Committee and other committees as appropriate will be used as vehicles to drive this process in an open and transparent way;
5. notes the Lowcock report was commissioned as part of negotiations that took place in forming the Co-Operative Executive between Greens and Labour in 2021-2022 and that no-overall-control has been instrumental in introducing new ways of collaboration;
6. believes without the Council being in no-overall-control, the Lowcock report would not have been commissioned;
7. notes the Streets Ahead contract was a missed opportunity to redesign Sheffield's transport infrastructure when the decision to replace the infrastructure on a like-for-like basis was made and

- believes that many of the failings in policy within the contract can be attributed to a cabinet system that isolates an individual cabinet member;
8. requests Strategy and Resources Policy Committee install a plaque in the entrance of the Town Hall (alongside the Kinder Scout mass trespass plaque) in recognition of those who fought for our environmental heritage and were vindicated, and to serve as a reminder to all elected members that this failure of leadership will never happen again;
  9. requests that a timescale for implementing all actions arising from this EGM will be published no later than the end of June 2023;
  10. believes the committee system is an important part of a necessary broad cultural transformation, and in particular:-
    - (a) accepts and welcomes the decision of the people of Sheffield expressed through the governance referendum;
    - (b) expects committee chairs and others to abide by the rules and spirit of new, open, transparent and democratic ways of working;
    - (c) believes that the Nolan principles apply equally to both the cabinet and committee system, and governance and culture should ensure that the Nolan principles are upheld; and
    - (d) believes that following the vindication of concerned citizens who were stonewalled, accused of lying and subject to legal action, this Council must understand how processes, culture and individual actions led to these abuses of power, in order to ensure that accountable individuals take full responsibility and that the Council's processes and culture prevent such abuses in future;
  11. condemns the harms identified by Sir Mark Lowcock, such as:-
    - (a) the distressing experience of being arrested for protestors, many of whom experienced feelings of grief, anger and a lack of safety in the months and years afterwards;
    - (b) the Council's wider hostile approach to protestors, which was dishonest, bullying, and destructive of public trust, caused significant distress, and was the "fuel that drove the protests";
    - (c) the damage to Sheffield's reputation nationally and internationally, which was not understood by cabinet members at the time and continues to negatively influence

perceptions of Sheffield; and

(d) the harm to Council members of staff and Amey contractors, including to their career progression, mental and physical health, harassment in and out of work, and personal relationships, and notes that this was exacerbated by a lack of coordination and “political decisions quietly being blamed on officers” and questions whether the Council fulfilled its statutory duty of care to its employees; and

12. believes that for individuals who were council cabinet members in the civic years 2015/16 to 2017/18, resignation from public office would be an appropriate indication of acceptance of responsibility for the harms caused.

3.13.1 (NOTE: The result of the vote was FOR - 71 Members; AGAINST – 0 Member; ABSTENTIONS – 0 Members. Although Councillor Sophie Wilson voted for, she voted against Part 12 and abstained from Part 7 of the Substantive Motion. Although the Labour Group Members voted for, they voted against Part 12 of the Substantive Motion.