

Strategy and Resources Policy Committee

Monday 19 June 2023 at 2.00 pm

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

The Press and Public are Welcome to Attend

Membership

Councillor Tom Hunt
Councillor Fran Belbin
Councillor Angela Argenzio
Councillor Dawn Dale
Councillor Douglas Johnson
Councillor Ben Miskell
Councillor Shaffaq Mohammed
Councillor Zahira Naz
Councillor Joe Otten
Councillor Martin Smith
Councillor Richard Williams

PUBLIC ACCESS TO THE MEETING

The Strategy and Resources Policy Committee comprises 11 Members and has the following responsibilities:

- Cross-cutting responsibility for development and submission to Full Council for adoption of the Budget and Policy Framework
- Providing strategic direction to the operation of the Council by developing and recommending the Corporate Plan (including determination of the priorities set out therein) to Full Council and making decisions on cross-cutting policies and practice where such decisions are not reserved to full Council
- Responsibility for any issue identified as being of significant strategic importance or financial risk to the Council (which is considered to be by its nature cross-cutting)
- Responsibility for any policy matter not otherwise allocated to a Committee
- Considering reports which an Ombudsman requires to be published by the Council where it is proposed that the Council take the recommended action

Meetings are chaired by the Leader of the Council.

A copy of the agenda and reports is available on the Council's website at www.sheffield.gov.uk. 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 Policy Committee meetings and recording is allowed under the direction of the Chair. Please see the Council [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.

Policy 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 on the agenda.

Meetings of the Policy Committee have to be held as physical meetings. If you would like to attend the meeting, please report to an Attendant in the Foyer at the Town Hall where you will be directed to the meeting room. However, it would be appreciated if you could register to attend, in advance of the meeting, by emailing committee@sheffield.gov.uk, as this will assist with the management of attendance at the meeting. The meeting rooms in the Town Hall have a limited capacity. We are unable to guarantee entrance to the meeting room for observers, as priority will be given to registered speakers and those that have registered to attend.

Alternatively, you can observe the meeting remotely by clicking on the 'view the webcast' link provided on the meeting page of the [website](#).

If you wish to attend a meeting and ask a question or present a petition, you must submit the question/petition in writing by 9.00 a.m. at least 2 clear working days in

advance of the date of the meeting, by email to the following address:
committee@sheffield.gov.uk.

In order to ensure safe access and to protect all attendees, you will be recommended to wear a face covering (unless you have an exemption) at all times within the venue. Please do not attend the meeting if you have COVID-19 symptoms. It is also recommended that you undertake a Covid-19 Rapid Lateral Flow Test within two days of the meeting.

If you require any further information please email committee@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.

**STRATEGY AND RESOURCES POLICY COMMITTEE AGENDA
19 JUNE 2023**

Order of Business

Welcome and Housekeeping

The Chair to welcome attendees to the meeting and outline basic housekeeping and fire safety arrangements.

1. Apologies for Absence

2. Exclusion of the Press and Public

To identify items where resolutions may be moved to exclude the press and public.

3. Declarations of Interest

Members to declare any interests they have in the business to be considered at the meeting.

(Pages 5 - 8)

4. Public Questions and Petitions Relating to the Issues to be Discussed

To receive any questions or petitions from members of the public relating to the issues to be discussed at the meeting.

(NOTE: There is a time limit of up to 30 minutes for the above item of business. In accordance with the arrangements published on the Council's website, questions/petitions at the meeting are required to be submitted in writing, to committee@sheffield.gov.uk, by 9.00 a.m. on Thursday 15 June 2023).

5. Learning From the Past and Moving Ahead: Response to the Sheffield Street Tree Inquiry

Report of the Chief Executive

(Pages 9 - 60)

ADVICE TO MEMBERS ON DECLARING INTERESTS AT MEETINGS

If you are present at a meeting of the Council, of its Policy Committees, 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 Standards Committee in relation to a request for dispensation.

Further advice can be obtained from David Hollis, Interim Director of Legal and Governance by emailing david.hollis@sheffield.gov.uk.

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Report to Policy Committee

**Author/Lead Officer of Report: Lucy Heyes,
Sheffield street tree Inquiry response**

Tel: 0114 205 2802

Report of: *Chief Executive*

Report to: *Strategy and Resources Committee*

Date of Decision: *19 June 2023*

Subject: *Learning from the past and moving ahead:
response to the Sheffield street tree Inquiry*

Has an Equality Impact Assessment (EIA) been undertaken?	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
If YES, what EIA reference number has it been given? (EIA 2121)				
Has appropriate consultation taken place?	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Has a Climate Impact Assessment (CIA) been undertaken?	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Does the report contain confidential or exempt information?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>

Purpose of Report:

This report asks Strategy and Resources Committee to agree a suite of actions and a budget to respond the findings and recommendations of the Sheffield street trees Inquiry, published by Sir Mark Lowcock KCB on 6 March 2023.

The Inquiry report contains detailed findings, observations and 11 recommendations for the Council and their Streets Ahead contractor, Amey.

The Council published a statement on 6 March, welcoming the report, and a further statement on 7 March setting out an initial apology and the intention to implement all recommendations and learn lessons. On 15 March at the Strategy and Resources Committee, the Council made fuller apologies, accepted all the Inquiry's conclusions and recommendations and asked the Chief Executive to bring a report to this Committee to respond to each of the recommendations. Apologies were repeated at the Extraordinary General Meeting on 10 May and a motion passed which included a request that a timescale for implementation be published no later than the end of June 2023.

Recommendations: Strategy and Resources Committee should agree:

- a) to set aside £200,000 from reserves to cover the remaining costs of the Inquiry and to facilitate the actions to meet its recommendations set out within this report.
- b) the 36 actions (and their accountability and monitoring arrangements) recommended to implement the recommendations of the Sheffield street trees Inquiry, set out within this report and summarised in **Annex A**.

Strategy and Resources Committee should also:

- c) note the apologies from Amey and Sheffield Tree Action Groups (STAG).
- d) endorse the bespoke approach to supporting those who were found in breach of the injunctions and ordered by the Court to pay costs.
- e) agree that there should not be a dispute related compensation scheme.
- f) agree that improving the standard of roads outstanding from 2018 is a priority for the Council.
- g) note that the Council has shared the Inquiry response and this report with its auditors and will comply willingly should the auditors choose to recommend further action.
- h) note that this report does not recommend commissioning additional reports or investigations into the street trees dispute beyond the work with the Information Commissioner's Office and the liaison with the Local Government Ombudsman and the Council's auditors.

Background Papers:

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

Report to Strategy and Resources Committee on 31 May 2023: [Sheffield's Strategic Framework 2023/24](#)

Local government association corporate peer challenge report and [SCC response](#)

Lead Officer to complete:-						
1	<table border="1"><tr><td rowspan="4">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, where required.</td><td>Finance: Liz Gough, Head of Service: Finance & Commercial Business Partnering</td></tr><tr><td>Legal: David Hollis, Interim General Counsel and Monitoring Officer</td></tr><tr><td>Equalities & Consultation: Ed Sexton, Senior Equalities and Engagement Officer</td></tr><tr><td>Climate: Jessica Rick, Equalities and Engagement</td></tr></table>	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, where required.	Finance: Liz Gough, Head of Service: Finance & Commercial Business Partnering	Legal: David Hollis, Interim General Counsel and Monitoring Officer	Equalities & Consultation: Ed Sexton, Senior Equalities and Engagement Officer	Climate: Jessica Rick, Equalities and Engagement
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, where required.	Finance: Liz Gough, Head of Service: Finance & Commercial Business Partnering					
	Legal: David Hollis, Interim General Counsel and Monitoring Officer					
	Equalities & Consultation: Ed Sexton, Senior Equalities and Engagement Officer					
	Climate: Jessica Rick, Equalities and Engagement					
	<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: Kate Josephs, Chief Executive					
3	Committee Chair consulted: Councillor Tom Hunt, Leader of the Council and Chair of Strategy and Resources Committee					
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: Lucy Heyes	Job Title: Sheffield street tree Inquiry response
Date: 8 June 2023	

Contents

Proposal	4
How does this decision contribute?	4
Has there been any consultation?	4
Risk analysis and implications of the decision	4
Alternative options considered	6
Reasons for recommendations	6
Learning from the past and moving ahead: actions for reconciliation, Streets Ahead and wider Council improvement.....	8
Context and principles	8
Accountability.....	9
Reconciliation: recommendations 1-4	11
Apologies (recommendations 1-3).....	11
Financial burdens (recommendation 4)	14
Plaque.....	16
Streets Ahead: recommendations 5-7	17
Sheffield Street Tree Partnership (recommendations 5 & 7)	18
Managing Streets Ahead (recommendations 6 & 7).....	22
Wider Council issues: recommendations 8-11	26
The Inquiry's recommendations.....	26
Progress.....	27
Actions on wider Council issues (recommendations 8-11).....	29
Further investigations.....	32
Annex A: summary table of actions – see accompanying document.	33
Annex B: Council overarching apology.....	34
Annex C: process for individual apologies.....	39
Annex D: STAG apology	41
Annex E – the Kinder Scout mass trespass plaque	42

Proposal

- i. This report sets out how the Council will act on all of the recommendations from the Sheffield street trees Inquiry, published by Sir Mark Lowcock KCB on 6 March 2023. The Council aims to ensure that the lessons are learnt and systematic change made across the organisation to ensure that a dispute like this does not arise again in any service for which the Council is responsible.
- ii. The Inquiry recommendations share themes with other recent reports. In developing these actions, the Council has also considered other recent reports including the LGA corporate peer challenge report and the 6-month review of the Committee system of governance.

How does this decision contribute?

- iii. Agreeing and endorsing the actions within this report will contribute to the ongoing reconciliation following the street trees dispute. These actions will enable the Council to take decisive shorter- and longer-term action to support reconciliation, improve the support to the Sheffield Street Tree Partnership, the management of the Streets Ahead contract and essential Council processes. It will also enable the people of Sheffield to see and keep track of the action being taken, to assure them of the Council's commitment to making systematic change in response to the report.
- iv. This work will support the [Strategic Framework for 2023/24](#) discussed at this Committee on 31 May 2023, supporting the Council to be a modern, efficient organisation, and desirable place to work, as envisioned in the [Delivery Plan](#) agreed by Strategy and Resources Committee in August 2022. The recommendations within the Inquiry report reinforce the need for organisational change to ensure that the Council can deliver effectively for Sheffield.

Has there been any consultation?

- v. The Inquiry received over 1.1 million documents and met with 159 people in private and 26 people at 32 hours of public hearings. This substantial evidence base was used to develop the Inquiry report which has been the foundation for this report's recommended actions.
- vi. The development of these actions has been supported by engagement with:
 - a. individuals and services across the Council, including the senior management and elected members;
 - b. Amey;
 - c. representations from individuals and representative groups; and,
 - d. an Implementation Working Group with attendees external to the Council.
- vii. It also draws on the Extraordinary General Meeting (EGM) on 10 May, and the discussion sessions that followed it, which compiled views on implementation of the Streets Ahead and wider Council recommendations.

Risk analysis and implications of the decision

Equality Implications

- viii. The actions within this report have been developed with equalities implications in mind. The recommended reconciliation actions should not disproportionately benefit or disadvantage any one group. Some of them are

targeted at specific organisations or individuals who are owed particular apologies, this is consistent with the Inquiry report and does not create equalities issues. The overarching apology will be hosted digitally and distributed widely to maximise access.

- ix. The actions recommended to support the management of the Streets Ahead contract and Sheffield Street Trees Partnership underline the Council's commitment to ensuring good management of the city's green infrastructure¹ for the benefit of all citizens. This will support the Sheffield Street Trees Partnership's Strategy aim to increase the city's tree canopy, bringing with it health benefits which particularly help those with existing health conditions, the very young and the elderly. The Strategy also aims to increase the equity of the canopy, bringing the benefits to low-cover and more disadvantaged areas. During the dispute the Council at times used accessibility rationales to justify messaging around the removal of trees. This report does not do this as disabled people have a right to both access and green infrastructure.
- x. The wider council actions should improve processes and services for all residents equally.

Financial and Commercial Implications

- xi. To date the costs associated with the Inquiry, its set-up and its recommendations (including reimbursements of financial Court orders) amount to £839,000, which have been met from the Council's reserves in 2022/23. There is a small amount of outstanding work directly attributed to the Inquiry such as archiving and final office rental payments. These costs do not factor in the cost of officer time in working with the Inquiry and responding to its recommendations.
- xii. This report identifies the recommendations and follow-up actions, some of which will have financial implications. In the short-term there is a requirement to fund these actions and install of a plaque (as recommended at the EGM on 10 May). It is proposed to set aside £200,000 from reserves to cover the remaining costs of the Inquiry and to facilitate the actions to meet its recommendations.
- xiii. Should further funding be required following the further investigations described within the body of the report these will be subject to further reports to Committee.

Legal Implications

- xiv. The Sheffield street trees Inquiry report is a far reaching report that covers a significant period of time and many actions by the Council, including legal action. The purpose of this section is not to address all the potential legal implications arising from that report, but to address the implications of the recommendations made in this report.
- xv. Most of the actions are incidental to the powers and functions the Council was acting under at the relevant times or will continue to act under. As such they are permitted by s111 Local Government Act 1972 or s1 Localism Act

¹ Green infrastructure refers to open spaces such as parks, playing fields, woodlands as well as street trees, allotments, gardens, green roofs and walls, sustainable drainage systems and soils.

2011 where they stand alone. Where there are ongoing actions that have specific legal implications, they will be addressed as those matters progress.

- xvi. Other sections of the report pick up potential legal implications where relevant, particularly paragraphs 26 and 30. The Judicial Review risk highlighted in section 30 is based on several potential challenges, including a claim brought by
 - a. a person excluded from the scheme who considered that the scheme was too narrow in scope.
 - b. someone eligible for a payment challenging the fairness of the process for administering the scheme or the approach to quantum.
 - c. a local council tax payor, who considered that the scheme was not an appropriate way of spending the Council's resources.
- xvii. The risks of any judicial review claim being brought, and the success of any such claims cannot be determined now but would have to be assessed as a scheme was finalised if proposed, but the potential for the scheme to be challenged cannot be ruled out and is a relevant consideration in determining whether to propose one.

Climate Implications

- xviii. Due to the nature of this report, a full scored Climate Impact Assessment (CIA) has not been deemed necessary, however the climate implications of the report have been considered in relation to the categories in the CIA tool. There are considered to be impacts in the following categories:
- xix. **Influence.** The actions within this report support the actions of the Sheffield Street Trees Partnership's (STTP) Strategy. STTP Strategy includes raising awareness of the benefits and value of street trees and driving community engagement with how they can be looked after. This is supported by community events such as the recent Tree Fayre and the new STTP website. The Strategy sees the Council working with partners to achieve aims including increasing the street tree canopy including increasing the benefits of this in low-cover and deprived areas.
- xx. **Nature and Land Use.** Increasing the street tree canopy will add to the city's green infrastructure and have a beneficial effect on carbon capture, and make sure tree planting considers climate resilience and contribution to biodiversity, as well as aesthetic appeal.
- xxi. **Adaptation.** Increasing the street tree canopy including increasing the benefits of this in low-cover and deprived areas ensure the principle of Just Transition² can be applied. Increased canopy cover can also help reduce the heat island effect³ during extreme heat events and improve the resilience of the city in the face of the impacts of climate change. It will be important to consider the predicted climate changes for the city in terms of average temperatures and rainfall when considering species suitability.

² Just Transition is about moving to an environmentally sustainable economy in a way that considers the needs of all people and industries.

³ Hard surfaces like buildings and roads absorb the sun more than greenery and water and radiate it back into the air as heat. This can create Heat Islands which can be up to 10° hotter in urban areas than in rural areas.

- xxii. The actions within this report do not have buildings and infrastructure, transport, economy, energy, resource use or waste implications.

Alternative options considered

- xxiii. The Council has already committed to accepting all the Inquiry's recommendations and learning lessons. Full Council reiterated and endorsed this through the motion which was passed at the EGM on 10 May.
- xxiv. The actions within the report are the Chief Executive and her team's advice for how best to implement the Inquiry's recommendations. There is strong alignment between the actions and the 6-month review of governance, City Goals and the Strategic Framework for 2023/24. As such, the option of rejecting some, or all, of the actions, or recommissioning this work, is not advised and would delay implementation.

Reasons for recommendations

- xxv. The recommendations will support the ongoing recovery and reconciliation following the dispute, help ensure strong management of the Streets Ahead contract for the next 14 years and support the aims of the Council's Strategic Framework 2023/24. They will also enable the Council to meet its commitment to accept and have a plan to implement all the Inquiry's recommendations no later than the end of June 2023.

Learning from the past and moving ahead: actions for reconciliation, Streets Ahead and wider Council improvement

Context and principles

“The Inquiry has identified a number of lessons from the dispute. Identifying a lesson is not the same as learning it. If the lessons are to be learned, they will need to be fully discussed by the Council and others, and then acted upon.”

Sheffield street trees Inquiry, page 15.

1. The Sheffield street trees Inquiry was the fully independent, decisive investigation into the dispute which emerged around the tree replacement programme, part of the Streets Ahead PFI contract. It culminated in a 227-page Inquiry report which describes in detail the development of Streets Ahead, the dispute years and the progress since March 2018, and makes 11 recommendations.
2. Following publication, the Council welcomed and accepted the Inquiry’s recommendations and findings, made initial apologies and committed to take action by commissioning the Chief Executive to bring to the June 2023 Strategy and Resources Committee a plan to address all recommendations (which this report comprises). The Inquiry’s report was generally well received by those outside of the Council including those supportive of, or involved in, campaigning.
3. At the Extraordinary General Meeting (EGM) on 10 May the Council passed a motion accepting all of the conclusions and recommendations of the Inquiry and committed to devising a set of actions by the end of June 2023 which would meet them fully. It noted that the Inquiry was commissioned as part of negotiations forming the Labour-Green Co-Operative Executive in 2021-2022, that no-overall-control had been instrumental in introducing new ways of collaboration and that without these factors the Inquiry would not have been commissioned. During the EGM debate, members advised each other to re-read the report in 12 months and three years as a reminder of the lessons the Council should have learnt by then. They reflected that they would support each other to “always believe we can be better” and that reconciliation is supported by truth, trust, apologies and commitment to cultural change.
4. Through the statements, discussion and the EGM following the publication of the Inquiry’s report, the Council has repeatedly and unreservedly apologised for all the things which went badly wrong during the dispute years. The proposed actions within this report address the Inquiry’s recommendations and aim to lay the foundations to help the city move forwards. This report builds on the changes since the on-street protests ended in 2018 to meet the word and spirit of the recommendations, move beyond reinvestigating what went wrong, and work towards using what has been learnt to make systematic positive change to Council ways of working.
5. External stakeholder feedback on how the Council should develop its response has emphasised several messages. These include that the Council needs to take responsibility and show leadership in implementing the recommendations. The Council also needs to make swift progress on actions which are for the Council alone, such as the apologies. The Council will work

in ways that recognise the public's need to see when actions have been completed, so that they can have confidence that change is happening. This means committing to specific actions, with corresponding timescales, deadlines and owners to enable accountability and monitoring.

6. The dispute was a dark time for the Council. For some people, the actions since the dispute have repaired trust and enabled them to move on. The findings and recommendations of the Inquiry, and their acceptance and initial apologies, have provided closure for a further group. For others trust might be rebuilt overtime if there are visible indications of change. The actions within this report aim to fulfil the recommendations in a way that is acceptable to as many people as possible. As the Chief Executive acknowledged at the EGM on 10 May, the Council's actions during the dispute mean that there are sadly some people who are unlikely to trust the Council again, regardless of actions taken.
7. This report addresses the three sets of recommendations outlined in the Inquiry's report: reconciliation (recommendations 1-4), Streets Ahead and the Street Tree Partnership (recommendations 5-7) and wider Council change (recommendations 8-11). It summarises progress to date and sets out actions to fulfil the recommendations. All actions have dates: some are immediate, others shorter-term (within 12 months), and others longer-term (beyond 12 months). They have at their heart the Council's values: "people are at the heart of what we do", "openness and honesty are important to us", and, "together we get things done". Where stakeholders have suggested additional actions, this report sets out whether these will be pursued.
8. There will be a wide range of views on what could and should happen. As set out by the Chief Executive at the EGM on 10 May, where these views diverge the Inquiry report will be the Council's definitive guide on what was found and what should be done. In addressing the recommendations of the Inquiry's report, the Council will need to demonstrate clear leadership, balancing the need to collaborate and ensure consistent resident engagement with wider constraints, priorities and its decision-making role.
9. To demonstrate that lessons have been learnt this report recommends concrete actions which will enable the Council to show visible change to what happened during the dispute. Where possible, actions are integrated into Council processes and programmes to ensure they become part of the Council's day-to-day work. The Inquiry and other reports make clear that there is currently a window of opportunity to make meaningful change. It is imperative the chance is not missed to support the Council to become the modern, open and inclusive organisation the elected members and senior executive envision.

Accountability

10. Annex A sets out a summary table of the recommended actions, deadlines and monitoring arrangements, assigned to named directors, boards and committees.
11. The Council also has commitments from the LGA peer challenge report, Committee system review and other reports to monitor. Monitoring arrangements will look at these alongside the Inquiry recommendations to ensure actions focused on similar themes are considered together. To do

this, progress will be monitored by the Performance and Delivery Board and Claire Taylor, Chief Operating Officer. Further accountability will be ensured through monitoring by the Council's internal audit function.

12. As included in the EGM motion on 10 May, "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". Strategy and Resources Committee will receive a report against progress on these actions, and those for other recent reports, during winter 2023 and summer 2024.

Action: the Strategy and Resources Committee should note and agree the accountability and monitoring arrangements. It should also agree to receive a report against progress on these actions and those for other recent reports during winter 2023 and summer 2024.

Reconciliation: recommendations 1-4

13. The Inquiry report gives the Council a description of reconciliation as being “supported by recognition of errors when they have been established, and the issuing of apologies.” The Council agreed that the apologies issued so far do not do justice to the scale of what went wrong during the design of the Streets Ahead PFI contract and what the Council did wrong during the dispute. The actions during the dispute period do not live up to the Council’s value that “openness and honesty are important to us”.
14. At the EGM on 10 May, the Council voted through a motion which condemned the harms identified by the Inquiry. The motion specifically “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”

Apologies (recommendations 1-3)

15. Annex B sets out the Council’s full overarching apology to the people of Sheffield, and beyond, for “developing and adopting a flawed plan” (recommendation 1) and “the things it got wrong in the course of the dispute, especially between mid-2016 and early 2018, drawing on the material presented in the Inquiry’s report” (recommendation 3). It recognises: the scale and scope of the mistakes made; the way that culture and mindset contributed to these mistakes; the lack of judgement displayed; and, the harms caused. It also recognises that the actions of the Council led to the removal of healthy trees which could have been retained. This apology will be hosted permanently on the Council website on the ‘Managing and looking after street trees’ page and distributed to the media and interested bodies named in the Inquiry report.
16. This apology will be published on 20 June in the names of the Leader of the Council and the Chief Executive, having been endorsed by this Committee. This is in line with the will of the full Council, as expressed at the EGM on 10 May. The Chief Executive will confirm to the Chair of this Committee when this action has been completed. The process will be overseen by James Henderson, Director of Policy and Democratic Engagement.

Action: this Committee should agree and endorse the full apology at annex B. The Committee should also agree the permanent hosting and distribution of the apology.

17. Stakeholder feedback has made clear that an apology cannot be meaningful without actions to ensure the same mistakes will not be repeated. The rest of this report sets out the actions the Council will take to ensure lessons are learnt and integrated into the organisation, and that meaningful change is made to protect against reoccurrence of issues from the dispute or the emergence of similar issues within another service.
18. The Inquiry highlighted organisations and groups of individuals who are owed a specific apology. Based on the overarching apology, the Chief Executive or the General Counsel and Monitoring Officer will make contact with these parties during the summer. The processes will be overseen by James Henderson, Director of Policy and Democratic Engagement:
 - a. **The Courts.** While the Inquiry found that the outcomes of legal action would have been the same without the Council's version of the 5-year tree management strategy, misleading the Courts is a very serious matter for which apologies are due.
 - b. **South Yorkshire Police and the South Yorkshire Police and Crime Commissioner, Dr Alan Billings.** The Inquiry made clear that the Council placed the police in an invidious position during the dispute. At times the Council placed undue pressure on the police and did not do enough to find alternative solutions to the dispute or to play a visible role on the streets during protests. The Police and Crime Commissioner called for a political resolution to the dispute several times – his advice should have been heeded.
 - c. **Those subject to legal action instigated by the Council.** The Inquiry found that while the Council was entitled to take the legal action it did, it did not consider the wisdom or effectiveness of this action, and stretched, though did not break, the proportionate use of its authority beyond reasonable limits. This was a failure of strategic decision making. We will contact and apologise to:
 - i. **Those who were asked to sign undertakings (to the Council or the Court) or named in the injunctions.**
 - ii. **Those who had committal proceedings brought against them including under Persons Unknown provisions.** The Council sought committal proceedings some of which resulted in sentences and financial orders. This was an unwise course of action with serious implications for those found in breach of the injunctions.
 - iii. **Former Sheffield Green Party Councillor, Alison Teal.** The Inquiry observed that “many people would question whether this decision [to pursue committal of Alison Teal] was in the public interest” and that “seeking punishment through the courts, including potentially imprisonment, of an elected opposition politician who was clear that she intended to comply with the law, sits badly with democratic tradition”.

- d. **Andy Buck and the Independent Tree Panel (ITP).** The Council mislead the ITP, most significantly over available engineering solutions. It rejected many recommendations the ITP made in good faith to save trees. This was destructive of public trust and confidence and disrespectful to the time, effort and professionalism of the panel.
- e. **The campaign groups.** The Council would like to address directly the dismissive treatment and misrepresentation those involved with the campaign faced when trying to address the issues they saw. Many of these people gave substantial time, energy and resource to try and support the Council to manage the tree replacement programme better. They were not treated with the seriousness and respect that they should have been. This was exacerbated by Council systems which were overwhelmed. The Council will write to Sheffield Tree Actions Groups (STAG) and ask them to share an apology as widely as they can with other campaigners and groups.
- f. **Elliott Consulting Ltd.** To apologise for the impact of misusing the data resulting from their sub-contracted work.
- g. **Staff working for the Council and its contractors.** The Inquiry report is clear that diligent and committed staff tried to highlighted issues with the initial design of the project, flag concerns as the dispute emerged and offered expertise and solutions. These people were not listened to. Contractors were put in an unacceptable position on the streets. People across the Council saw the organisation they work for damaged through the Council's actions during the dispute. This is a source of regret and not aligned with the Council's value that "people are at the heart of what we do". Some staff were placed in an unacceptable position and suffered harms as a result.

Action: Strategy and Resources Committee should agree that the Chief Executive and General Counsel and Monitoring Officer, on behalf of the Council, should contact the nine categories of organisations and categories of people set out here and offer apologies, based on the overarching apology at Annex B.

- 19. At the Strategy and Resources Committee on 15 March 2023, the Council acknowledged that there were people owed individual apologies and committed to making sure those happened. How that process will work is set out at Annex C.
- 20. The Council has chosen to ask people not included in the categories above to self-identify. The Council cannot ask the Inquiry to provide any lists as that would reveal who the Inquiry had spoken with, undermining its confidentiality and independence. Self-identification also mitigates the risk of contacting people who do not wish to hear from the Council and would find the contact upsetting or inappropriate.
- 21. One of the issues during the dispute was that the public waited a long time to get answers to their questions and correspondence. To mitigate this, the formal self-identification apology process will be in place between 20 June 2023 and 30 September 2023. Those who wish to receive an individual apology will need to make themselves known during this time. All individual apologies will be completed by 31 October 2023 at the latest. This process

will be overseen by James Henderson, Director of Policy and Democratic Engagement.

Action: the Committee should agree the timescales and mechanism set out at Annex C for individual apologies.

22. Immediately following publication, Amey welcomed the Inquiry report. They followed this up on [9 May 2023 with a full apology](#) addressing the points directed to them by recommendation two of the Inquiry. They apologised for their role in adopting a flawed plan, and in not calling what came to be the final pause in the original tree replacement programme sooner. They acknowledge the impact of these issues. Their apology highlights progress since March 2018, especially the work of the Sheffield Street Tree Partnership, and Amey's commitment to partnership working and delivering excellent services for Sheffield. They acknowledge that this requires Amey to be flexible and constructive in finding and resourcing solutions. This apology fulfils recommendation two and builds on the positive relationship between the Council and Amey.
23. Following the publication of the Inquiry report, Sheffield Tree Action Groups (STAG) proactively contacted the Council and shared an apology. The Council was grateful for this gesture and has included it at Annex D.

Action: the Committee should note the apologies from Amey and STAG.

Financial burdens (recommendation 4)

24. Immediately following the publication of the Inquiry report, the Council wrote to those with outstanding financial Court orders formally dropping pursuit of these costs. The Council had not been pursuing these payments actively for some time so there are no budgetary implications of this action.
25. The Council also wrote to those who had paid their financial Court orders informing them that they would be reimbursed. All of these reimbursements were made between 14-18 April 2023. This reimbursement means that the Council has not benefited from money received due to the legal enforcement of an unwise strategy. The financial implications of this action are included within the figures in the "financial and commercial implications" section of this report.
26. There have been calls for the Council to exonerate individuals through seeking to undo the injunction action taken during the dispute. Although the injunction process was an unwise course of action it was not illegal, as confirmed by the Inquiry report. The Council has no ability to overturn the decision of a court, even where that decision was made in proceedings initiated by the Council. However, the Council understands that this unwise course of action had serious implications for the small number of people who were found in breach of the injunctions. The Council will contact these people directly and work with them to do everything possible to mitigate any ongoing impact. This could include supporting them to request a Certificate of Satisfaction from the Courts and providing letters of explanation should they need to explain the reasons for suspended prison sentences when job seeking, as well as other actions bespoke to their needs.

Action: the Committee note and endorse this bespoke approach to supporting those who were found in breach of the injunctions and ordered by the Court to pay costs.

27. During the development of this work, some people have asked whether the Council will be making any compensation payments.
28. In considering this request the Council notes that:
- a. the Inquiry's Terms of Reference were framed in a manner which would have enabled the independent Chair to make recommendations for the payment of compensation to specific individuals or groups of individuals, or to establish a scheme for administering compensation, had he had considered this appropriate.
 - b. the Terms of Reference for the Inquiry would not have precluded the Independent Chair from reaching a conclusion that the Council had acted unlawfully in one or more respects, had he formed such a view.
 - c. the Report makes no recommendation, either expressly or implicitly, that the Council should make payments by way of compensation to individuals harmed by the events discussed in the report or indeed other payments.
29. The Inquiry findings do not establish a legal basis for any claim for damages against the Council. Should legal claims be made against the Council, the merits of any potential future claims will need to be assessed based on the particular facts and circumstances of each individual case.
30. The Council has considered if it should start a compensation scheme not based on legal claims. It will not do so due to the complexities and expense of a compensation scheme and associated legal risks. While a compensation scheme could contribute to reconciliation, it could also create further disquiet depending on who would be considered in scope for payment. The harms people suffered are not the same, some had direct financial consequences, others did not but suffered harm in other ways. The levels of harm differ significantly and many residents of the city and beyond were engaged. Determining a level of quantum for compensation would be complex and time consuming, especially if not based on a legal claim. A compensation scheme would not preclude individual claims or complaints, including to the Local Government Ombudsman so would not necessarily provide finality. Further, such a scheme would likely be a significant financial burden and where not based on a legal claim, may give rise to the risk of a Judicial Review.
31. As a result, this report does not recommend a compensation scheme. This does not prejudice any legal advice any individual might choose to seek or action they choose to take as a result of that advice – the Council would engage with these individually.

Action: the Committee should agree that there should not be a street tree dispute related compensation scheme.

Plaque

32. At the EGM on 10 May, the Council motion agreed that Strategy and Resources Policy Committee be asked to "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”.

33. This plaque should be equal in size, prominence and detail to the Kinder Trespass plaque (annex E) at the entrance to the Town Hall and made of good quality material. The design process should include asking the public for their views on potential designs. The plaque should be unveiled during March 2024, 6 years on from the end of the on-street protests and a year on from the publication of the Inquiry report. The associated resourcing, process and plaque costs will cost up to £10,000. This work will be overseen by Richard Eyre, Director of Street Scene & Regulations Services, working with conservation and other relevant teams.

Action: the Committee should agree to install a plaque to the street tree protests in the Town Hall alongside the Kinder Scout mass trespass plaque within the next 9 months and agree the budget to fund this.

34. The Council propose allocating up to £50,000 to cover the costs and resourcing associated with the actions set out above to support reconciliation, fulfilling Inquiry recommendations 1-4, installing a plaque and any related costs, for example arising from steps necessary to mitigate any ongoing impact of committal proceedings.

Action: the Committee should agree a budget of up to £50,000 to support the work set out above.

Streets Ahead: recommendations 5-7

35. In March 2018, Amey called what became the final pause in the original tree replacements programme. As the Inquiry recorded, this became a turning point in the dispute. The Council, Amey and campaigners, supported by experts, worked through a mediation process that the Inquiry observed was “conducted on all sides with skill, sensitivity and patience over a period of months” and “was successful in facilitating progress towards resolving the dispute.” This identified outstanding issues to resolve for 309 trees on 78 roads.
36. This laid the foundations for work which has contributed to the recovery to date. The joint tree investigations in 2019 led to solutions for some trees to be retained, a greater shared understanding about what was and was not possible within the confines of the Streets Ahead contract, and a set of lessons which have been applied since. The success of this work reduced the number of outstanding streets and trees to be resolved and the emerging spirit of openness made the establishment of Sheffield Street Tree Partnership (SSTP) possible.
37. SSTP has been successful in developing a new, more consultative approach to street trees and their management. This was praised in the debate at the EGM on 10 May. It is underpinned by the dedication and commitment of the Partnership members. SSTP Strategy outlines a clear vision for the management of the street tree stock.
38. The decision process for the management and maintenance of Sheffield’s street trees was reviewed as part of the consultation on the SSTP Working Strategy. Feedback from the consultation included calls for transparency around decision making and for public feedback. In response, operational aspects of the decision process, including timescales, method of consultation, and publication of decisions were developed and tested. This process is outlined in [Appendix 5 of the SSTP Strategy](#).
39. This progress has been complemented by variations to the Streets Ahead contract. The original design intention to replace 17,500 street trees has been removed and the contract now requires Amey to act in accordance with the SSTP Strategy.
40. These changes, combined with effective partnership working, mean that the approach to the management of street trees is now seen as exemplary and a model of best practice (for example, as assessed through the Programme for the Endorsement of Forest Certification). But more importantly, these changes represent a step change in the management of street trees and the value placed upon them. As a result of the safeguards included within the SSTP Strategy and changes to the contract, mistakes of the past cannot be repeated.
41. While this is good progress, there are around 30 roads outstanding from 2018. The Inquiry is rightly critical of this. These roads are in a bad state of repair and the residents that live on them, and use them, deserve better. External stakeholders have commented that fixing these roads is both essential and would be symbolic of the progress made since the dispute.
42. 6 March 2024 will mark a year since the publication of the Inquiry report. Having consulted with Amey, a firm commitment to have made meaningful

progress on all of these roads by that date is both possible and appropriate. It is imperative that SSTP has a central role in this process to ensure a balance between rapid progress and excellent partnership working and consultation.

43. The Council, with Amey, should commit to ensure that by 6 March 2024 every one of the outstanding roads has a design in place and is programmed into Amey work schedule to be completed at the latest during financial year 2024/25. This timescale protects time for meaningful consultation while keeping up momentum towards completing the work. We recommend this work schedule be monitored by the Performance and Delivery Board and that any delay is referred to the Waste and Street Scene Committee for discussion and resolution. This process will be overseen by Richard Eyre, Director of Street Scene & Regulations Services.
44. This proposal takes into account factors that affect the work including seasonal influences (such as bird nesting for tree pruning and cold weather for surfacing works) and time for local consultation and engagement sessions with the public and key stakeholders.

Action: the Committee should agree that improving the standard of roads outstanding from 2018 is a priority for the Council.

Action: The Committee should agree and endorse the commitment to have designs in place for all roads outstanding from 2018 by 6 March 2024, to have work completed on these roads through the 2024/25 financial year at the latest and refer to the Waste and Street Scene committee responsibility to hold the Council and Amey to the agreed work schedule.

Sheffield Street Tree Partnership (recommendations 5 & 7)

45. SSTP published its strategy in 2021 and has made significant progress since then to take forward its vision. The strategy set out 31 actions to ensure the street tree stock is: sustainably managed and maintained, resilient, more equally distributed across the City and that its value, benefits and canopy cover increase.
46. Since its launch, SSTP has completed actions which underpin the consistent application of good practice and ensure the decision-making process for trees and management oversight function is clear and in place. They have also commenced rolling actions on monitoring, inspections and data gathering as well as prioritising ongoing development of SSTP and the Street Trees Wardens programme. This is complemented by work which is in progress on targeting additional planting, pursuing funding opportunities and undertaking research to ensure that tree species are selected for their climate resilience and contribution to biodiversity, as well as aesthetic appeal.
47. Work is also ongoing within SSTP to engage residents and support them to get involved in the planting and care of street trees. As part of this, SSTP held its first annual celebration event in May 2023 as part of the Sheffield Tree Fayre. These celebrations aim to raise residents' awareness of the value and benefits of street trees and acknowledge the volunteers who support their management and maintenance. The event was hosted by the Council Community Forestry Team, in partnership with The Woodland Trust and the National Heritage Lottery funded Education and Engagement Project at Sheffield Botanical Gardens.

48. Through their oversight of the city's approach to street tree management, SSTP has started to make a reality of the post-dispute aspiration for partnership working in managing street trees. The Council consults on the removal and replacement of street trees and SSTP plays a pivotal role in advising on solutions for complex roads and trees, including those outstanding since March 2018.
49. The progress of SSTP has not been without challenge. External stakeholders informing this work described processes which require further refinement, where decision making is not clear and where issues get stuck, without clear escalation routes to resolve them. They also spoke of a continued nervousness which is taking time to recede in the post-dispute years but would be aided by all parties taking an approach of kind, candid, openness. Partnership working requires the ability to share thoughts early, even if incomplete, embrace compromise and work towards a shared goal. This is facilitated by clear roles, responsibilities and boundaries and underpinned by the Partnership's Charter which was co-created and signed by all partners in 2022.
50. SSTP has recently [launched a website](#) which will improve public access to information about the Partnership and increase transparency about its purpose, vision and activities. It currently hosts information about SSTP members, notes of meetings, frequently asked questions, news updates, information about how people can get involved, key documents and other resources. The website will be kept up to date and added to as further updates and resources become available. SSTP hopes that the new website will significantly improve its visibility and make its work more accessible to the people of Sheffield and beyond.
51. As part of their work with SSTP, Amey facilitates the Street Tree Wardens. These volunteers champion and monitor street trees in their local areas. The programme has faced some issues including lack of clarity on the boundaries of the role, communications and timelines for action. To address these issues SSTP produced a handbook for Street Tree Wardens to clearly explain processes and better manage the expectations of volunteers. Monthly meetings with the wardens, hosted by Amey, have also been introduced to improve communications. SSTP will continue to make improvements to the Street Tree Warden scheme to ensure that it goes from strength to strength. This could also involve changes to the scheme's oversight pending further discussion and consultation over its longer-term aims and objectives.
52. The Inquiry recommended that the Council and Amey provide more resourcing, staffing and senior support for SSTP and its Strategy to enhance its effectiveness. The Inquiry also observed the lack of use of best practice and existing and emerging guidance during the design of Streets Ahead and the dispute years. SSTP has championed the use of guidance and data to guide decision making and continue to do so through several of their strategy's actions.
53. In 2022, following a demanding pilot scheme, Streets Ahead was awarded a certificate of compliance for managing its street trees sustainably by the world's largest Forest Certification Scheme, PEFC UK (Programme for the Endorsement of Forest Certification). This made Sheffield the first local

authority in the UK to have its urban tree management assessed against the new Trees Outside Forests criteria and judged to be compliant. This innovative and trail blazing work enabled SSTP to achieve a key objective outlined in its Strategy. This was made possible by dedication and collaborative working, including representatives from the Council, Amey and Sheffield Tree Action Groups (STAG) joining a working group of national street tree specialists to develop a standard of certification for Trees Outside Forests.

54. Building on the work to date, and as well as continuing to support SSTP to pursue the actions within its strategy, the Council (with Amey where appropriate) will:
- a. ensure director level SSTP membership from the Council (Director, Richard Eyre) and director level oversight from Amey (Director, Peter Bamfield), from June 2023;
 - b. ensure the Chief Executive meets with SSTP annually;
 - c. complete recruitment for a Business Manager post to provide dedicated administrative and facilitation support to SSTP. This will increase the Partnership Manager's capacity to lead and support key strategy actions and the development of SSTP, from summer 2023;
 - d. work with SSTP to meet the commitment to make meaningful progress on the outstanding roads from 2018 by 6 March 2024.
55. These immediate and shorter-term actions support the Council and Amey's dedication to SSTP and its role as the ongoing street tree engagement point. They will be led by Richard Eyre, Director of Street Scene and Regulations, and report to Performance and Delivery Board and the Waste and Streets Scene Committee.
56. Amey made their long-term commitment to SSTP clear in their apology, referring to their need to be flexible and constructive in finding and resourcing solutions. Elected members, officers and the public spoke about what they felt had to be prioritised for SSTP at the discussion following the EGM on 10 May. Themes included a desire to see more detail about the role, function, methodology and strategy of SSTP, including how this evolves to ensure it continues to meet the needs of the city and the environment. Elected members commented on a desire to see the Council demonstrate cross-boundary working to ensure that SSTP feels it can rely on the Council as a whole, and not just individual staff. They made clear that the Council and Amey should demonstrate the value of SSTP by resourcing it appropriately – be that through finance, staffing, time, promotion or in other ways.
57. SSTP is part of the fundamental way that Sheffield promotes and enhances its street trees in partnership with the public. This means it needs to be supported through the remaining 14 years of the contract with Amey and beyond. External stakeholders have reflected that SSTP could choose to explore having a more formal, constituted footing. This could add weight to its decision making, independence and credibility and make the members accountable to SSTP. It might also make it possible for it to attract finance or hold a budget if needed. Establishing SSTP on a constituted basis might also aid information sharing through drawing up protocols between the

organisations involved. Any further consideration of this idea would need to be undertaken in the true spirit of partnership working, with the Council playing a full role in supporting SSTP's explorations.

58. The Council is also looking to be more creative and flexible in the way it supports grassroots and community initiatives. Recently this has included working in partnership with community groups and Amey to trial Community Funded Tree Planting. Through this scheme over 100 trees have been planted in Sheffield. Most of these trees are on streets which previously had no trees and almost half in areas not previously considered 'leafy', spreading the environmental, biodiversity and physical and mental health benefits of urban tree cover. This supports SSTP's priorities to plant more trees, increase canopy cover and make it more equal across the city.
59. SSTP needs to be supported to go from strength to strength so that it can achieve the aims of its strategy and respond flexibly to the future. Supporting the commitment on roads outstanding from 2018 places considerable extra work on SSTP, on top of their planned work programme. Building on the successes to date, and following work on the roads outstanding from 2018, the Council and Amey will support SSTP (as part of SSTP strategy action 6.1: continue to develop SSTP to take forward its strategy) to:
- a. investigate how SSTP can be supported to continuously improve;
 - b. where needed, make clear when SSTP is the decision maker versus when it is being consulted or informed and develop refreshed guidance, and supporting escalation processes, as needed;
 - c. clarify how elected members can engage with and champion SSTP and its work;
 - d. investigate how the Council and Amey can share more information, (including design, decision making, rationale, financial or contractual information) with SSTP to enable informed debate and input on key issues;
 - e. having been externally audited through PEFC UK, continue to invite external scrutiny and integrate emerging good practice and guidance into the city's approach to street trees, including how to draw on expertise where needed (on an ongoing or call-off basis); and,
 - f. following this work, and if SSTP chooses to, the Council will support SSTP to explore how it could be given a more formal status, including how this could interact with financial and budget holding, learning from approaches in other areas.
60. A progress report on the work of SSTP (including how it evolves as it begins to explore these longer-term actions) will be brought to Strategy and Resources Committee in July 2024. That report will include any further financial implications.
61. Collectively, these actions aim to result in increased clarity and pace which aids resolution of current and future issues. This should increase trust and collaboration by giving all involved clarity on roles, spheres of influence and boundaries, making clear when all parties are decision makers, consultees or advisers. Through this continued improvement and partnership approach,

which aims to embody the Council's value of "together we get things done", all parties should be able to work together openly and confidently towards shared goals.

Action: the committee should agree and endorse the shorter-term actions at paragraph 54 and the longer-term actions at paragraphs 59. By agreeing the longer-term actions, the Committee will be agreeing to consider advice which may have further funding implications.

Managing Streets Ahead (recommendations 6 & 7)

62. The Inquiry report observes positive progress since March 2018. This includes the work on joint inspections, SSTP and changes to the contract, as detailed above. It also observes that there are roads and trees outstanding since 2018 which need to be addressed and that new challenges (both on street trees and the highways more widely) are bound to emerge during the remaining 14 years of the contract. The Streets Ahead contract will need to adapt to emerging technologies, guidance and environmental considerations, particularly around the impact of climate change.
63. The Inquiry made a number of observations about the complexity of the Streets Ahead contract and the skills the Council will need to have, or be able to call on, to ensure maximum value is derived for residents. It concluded that "New problems – and opportunities – will probably arise. A spirit of partnership on all sides will need to be sustained if they are to be dealt with effectively." And it recommended that "While sustaining its current partnership mindset, the Council should consider whether it has the skills and capacity needed adequately to pursue its interests in managing the contract with Amey."
64. The Inquiry commissioned advice from the Chartered Institute of Public Finance and Accountancy (CIPFA), which is drawn on in its report. Findings included that the contract being a Private Finance Initiative (PFI) was not material to the dispute that emerged, and that the Council could have made variations to the contract which took a more accommodating approach to the street trees (as it has subsequently done). Noting times where they were not present, the report set out best practice in project preparation as noted by CIPFA:
- comprehensive stakeholder identification and consideration;
 - identifying risks and scenarios;
 - working in collaboration across organisations and sectors;
 - using the business case and the contract as living documents to track the benefits, costs and risk across the lifetime of the contract;
 - having strong governance arrangements and an escalation process across the lifetime of the project; and
 - openness, honesty and transparency.
65. This advice suggests that the Council has the opportunity to put in place best practice around business case maintenance, financial and commercial expertise, operational efficiency and innovation and transparency, particularly of contract documentation.
66. The Council took to the Waste and Street Scene committee in December a review of Amey's performance. Since that report, significant progress has

been made against the areas for improvement with Amey having completed over 99.9% of the actions specified.

67. The Council will need to look at the skills and capacity needed to pursue its interests in managing the contract with Amey, while maintaining a partnership mindset. It must also be acknowledged that the Highways Maintenance Team have been under-resourced for a number of years due to budget pressures and the knock-on impact on recruitment. This is now being addressed.

68. In the immediate and shorter-term, the Council will:

- a. Create new roles (and leadership capacity) by October 2023 to:
 - i. continuously improve the way all parties meet the contract requirements, budget and statutory duties;
 - ii. develop approaches which evolve and meet local needs now and in the long-term;
 - iii. increase capacity for the preparation, design, delivery and recording of new work and maintenance to existing and new sections of the highway across the city;
 - iv. Instil a principle of working across Council boundaries so that the Streets Ahead contract supports other Council priorities, such as carbon reduction.
- b. Work with Amey to ensure that the design of the tree inspector capacity meets the needs of the current street tree stock and the ambitions of SSTP strategy. (By December 2023)
- c. Update and keep as a living document the Streets Ahead business case, in line with best practice recommended by CIPFA. (By December 2023)
- d. Review the function of the strategic management board, including refreshing its terms of reference and membership. Make clear the interface between the Streets Ahead governance system and the Waste and Street Scene committee. These two actions will ensure the governance system is set up to effectively monitor Streets Ahead and hold its management to account. (By December 2023)

69. These actions will increase the capacity to liaise with stakeholders, customers, partners and elected members which was highlighted as a priority at the EGM on 10 May. This should include opportunities to provide further training and development for members so that they can engage and challenge the management of major contracts, and develop their skills and knowledge around procurement and contract management. At the EGM, discussion also highlighted that engagement is needed between the Council and the public so that the city's needs are served by Amey. With 14 years left to run, the Streets Ahead contract needs to be flexible and responsive. New priorities – be that the changing needs of previously less residential parts of the city like Kelham Island, the needs of the city in the face of climate change and the mission to increase biodiversity and all its benefits – need to be able to be factored into work without always requiring expensive, drawn-out variation processes.

70. To enable this flexibility, the Council and Amey, responsive to the public and elected members, must see each other as on a shared mission. In doing so, they should work to an agreed set of principles like those set out within the STTP Charter. While these speak to the work of the Partnership, they are also applicable to the spirit in which Amey and the Council should approach the management of the Streets Ahead contract. As stated by CIPFA and noted in the Inquiry report, it is better to be receiving a good service than to be pursuing deductions for short-term financial savings.

71. The shorter-term actions above cover how the Council will meet the Inquiry's recommendation on adequately pursuing its interests in managing the contract with Amey on a day-to-day basis. However, the Inquiry's recommendation also asked the Council to consider the future and understand what arising challenges – including the winding down of the contract – will mean for the skills and capacity needed. To address this the Council will:

- a. Take forward a comprehensive analysis of the capacity and skills needed to manage the Streets Ahead contract strategically (anticipating and adapting to meet emerging needs) and how funding for these will be factored into the budget setting process. This will include setting out the safe level of management for a contract of this size. This will also include looking at how the Council can both build its own capacity and set up flexible arrangements for accessing experts on a temporary basis when needed, particularly in the legal, financial and commercial fields. Led by Richard Eyre, Director of Street Scene & Regulations Services, during 2024/25.
- b. develop high-level principles to set the approach for planning the end of the contract in 2037 and begin setting the approach for this work at least 7 years in advance of the end of the contract. This should be done with advice from relevant experts, for example, the Infrastructure and Projects Authority, and in the knowledge that winding down the project will require more staffing than running it day-to-day. Led by Richard Eyre, Director of Street Scene & Regulations Services, by 2029.
- c. work with other authorities, Amey and other contractors and central government to understand any impact created by many PFI projects coming to an end within a short period of time. This will link to paragraph 91 actions on options for governance and engagement improvements and working with other organisations to investigate how we enable peer support between organisations with similar governance responsibilities. Led by Richard Eyre, Director of Street Scene & Regulations Services, commencing 2024/25.

72. By taking these actions the Council is seeking to ensure all parties act with a spirit of partnership to achieve the aims of the Streets Ahead contract and a high-quality highway network for Sheffield, which values and enriches green infrastructure. This requires all parties to remain committed and to focus on quality delivery which meets the city's needs all the way to the end of the contract. The Inquiry has created an invaluable opportunity to reset

relationships, revisit working practices and plan for the future. It is imperative this chance is not missed.

73. The Council propose allocating up to £50,000 to provide additional resource to support Streets Ahead to make meaningful work on roads outstanding from the dispute period by the agreed deadline, and to support any costs arising from the shorter-term actions. The longer-term actions can be scoped within this budget but the outcomes of that are likely to have financial implications on which further advice will be submitted to Strategy and Resources Committee at the appropriate time.

Action: the committee should agree and endorse the shorter-term actions at paragraph 68 and the longer-term actions at paragraphs 71 and the budget to support them of up to £50,000. By agreeing the longer-term actions, the Committee will be agreeing to consider advice which may have further funding implications.

Wider Council issues: recommendations 8-11

74. The Inquiry's report was not the only report to identify issues within the Council. Its findings mirror some of those of the [Race Equality Commission](#) and [LGA peer review](#). For example, all reports touch on the need to develop good, modern engagement which is accessible to a diverse range of people, reaches those who are seldom heard, and ensures that at operational, strategic and decision-making levels the Council is well informed about the views of the public, experts and other organisations.
75. The Inquiry also drew attention to the findings of:
- a. the Information Commissioner Decision Notices on handling of Freedom of Information requests about Street Trees (particularly those between 2017-2022),
 - b. Local Government Ombudsman's decisions on complaints against the Council's decision to remove street trees (between 2018-2020), and,
 - c. Forestry Commission Street Tree Felling Investigation report (2019).
76. The Inquiry commissioned input from CIPFA to support its work. While mainly concerned with the operation of the Streets Ahead contract, it also shows that information was not shared by the Council because it was not readily available. These issues were also highlighted by the Council commissioned report into the Council's response to Freedom of Information requests about the Street Trees Dispute (2022), conducted by Bevan Brittan LLP. This highlighted issues with both the dispute handling and the challenges that Bevan Brittan LLP faced in gaining access to the information they needed to conduct their work.
77. 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.

The Inquiry's recommendations

78. The Inquiry recommended that the Council should "sustain the emphasis it has recently placed on partnership, local engagement and consultation and consider what more it needs to do to ensure that a culture conducive to that is fully embedded" (recommendation 8). Within the body of the report, the Inquiry repeatedly observed that during the dispute the Council failed to engage and truly listen to the public and community organisations, experts and its own staff. This contributed to flaws in the initial design of Streets Ahead. A failure to ask the right questions of the right people and significant omissions, such as the voice of environmental experts and groups, were a factor in insufficient risk identification and mitigation and opportunities to change the approach being missed. These flaws left the Council unprepared for the issues that occurred. These issues were highlighted in the early implementation by staff within the Council and experts and communities beyond the Council. Backlash to the removal of the veteran Oak in Stocksbridge, and separate issues around the Meadowhead roundabout,

were not heeded. The Inquiry found this was exacerbated by a culture which is described in the report as insular, prone to groupthink and in which internal or external challenge was perceived as disloyal and to be refuted rather than examined. The report also found that siloed working and governance meant that attempts to resolve the dispute from other areas within the organisation were unsuccessful. As stated at the debate at the EGM on 10 May, “it was a period which went wrong and wronger.”

79. Throughout the dispute period, staff were placed under immense pressure. For some this was due to the unmanageable workloads they were given. Others were not listened to and then asked to defend the Council’s actions or tell the public things which turned out to be misleading, incomplete or inconsistent. When staff tried to alert the Council to these issues they were not treated kindly and compassionately. Some recall being excluded for trying to raise concerns, others were on the receiving end of unacceptable behaviour from senior officers and from elected members. As a result, the Inquiry recommended that the Council “keep under review its approach to the provision of pastoral support to staff in stressful situations so that it can consistently act in ways which staff perceive as both reasonable and fair but also supportive and kind” (recommendation 9).
80. Both of these issues were exacerbated by the approach to governance. As the Inquiry sets out, the Streets Ahead contract was managed within the Place portfolio and not sufficiently overseen by the wider Council, particularly the corporate centre. The governance system did not enable cross-Council working nor timely escalation of issues. The Inquiry recommended that: “when considering future projects on the scale of the Streets Ahead programme, look at the option of a corporate rather than service-led management structure” (recommendation 10).
81. Throughout the dispute, the process of the Inquiry, the Forestry Commission investigation and the investigation by Bevan Brittan LLP, Council information management processes were insufficient. This meant that information was not easy to access or share. For both the Forestry Commission and Bevan Britten LLP, the Council was unable to provide all the information they needed to conduct their investigations. The Inquiry noted that while it received all of the information it required, this took many months and the engagement of services across the Council to make possible. During the dispute the Council did not have or put in place the capacity to deal with the level of information requests it was receiving and systems were quickly overwhelmed. This made the dispute worse as it frustrated the public and saw inaccurate, inconsistent and late information enter the public domain. The Inquiry recommended that the Council “consider whether its strategy and resourcing to improve information management – both its record-keeping and how it manages communication with the public – needs any adjustment in the light of the Inquiry”.

Progress

82. 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.” As set out to [Strategy and Resources Committee on 31 May 2023 within the Strategic Framework 2023/34](#), the Future Sheffield organisational change

programme aims to “improve the way things are done around here” to ensure the Council becomes the organisation it wants and needs to be. Future Sheffield provides a set of phased priorities, focusing first on engagement and getting core processes right, (specifically governance, information management and people) with which the specific actions to address the Inquiry recommendations have been aligned.

83. Some services within the Council provide good models of engagement in culture and working. Initiatives around youth services engagement and external membership on boards including the Wellbeing Board, as well as the success of Sheffield Street Tree Partnership (set out above), give examples of effective work with the public and experts. The Council introduced the Local Area Committees to give residents a greater say in local priorities and democratic processes and is working with partners towards a shared set of City Goals. The Inquiry recommends that the Council sustains this emphasis and builds a culture conducive to it being fully embedded. Discussion at the EGM on 10 May agreed that the Council needs to more consistently seek the views of the public to ensure real dialogue and accountability. The Council has set up governance committee system groups on public engagement which should enable the public to have a stronger voice in Council decision-making and progress-monitoring, including against the actions in this report.
84. Effective engagement is not just about structures and processes, it is underpinned by the right climate and capacity. Good engagement requires shared commitment at a senior level accompanied by a clear understanding of where involvement is appropriate and the impact it can have. Within this climate, capacity needs to be built, that might be skills, staffing, financing or other factors. With the climate and capacity in place, specific tools, such as boards, citizen groups, forums or the use of technology, can be designed to meet engagement needs. Having effective engagement processes enables conversations, including on topics where stakeholders do not agree. The actions below aim to support the Council to develop the necessary climate and capacity and lead to the development of effective engagement processes. This is likely to include developing how the Council should demonstrate openness and transparency, which should include ensuring equity of engagement between different groups and managing expectations. This will help the Council shape community engagement work.
85. The development of the Committee governance system over the last year has, by necessity, initially focused on the logistical and practical steps needed to implement the system. The Council conducted a 6-month review and developed a set of further actions. Officers have also conducted initial mapping of internal governance but, as the LGA notes, the system isn't mature and needs embedding and integrating with the Committee system. The actions below build on this progress and prioritise cultural aspects to accelerate the benefits the Committee system can bring.
86. The Inquiry report highlights problems in the Council's culture during the dispute which saw officers and elected members behave in a way described in the Inquiry's public hearings as going beyond robust and frank; and which the Inquiry report saw as focused on blame and passing responsibility. The debate at the EGM on 10 May recognised that standards in public life continue to be an issue, not just in Sheffield but more widely. The motion

passed reaffirmed the Council's belief 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. This complements the view of the LGA who recommended a review of the elected member code of conduct and member-officer protocol. This should be supported by improvements to elected member development, induction and linked to the Council's recent values work. It will be further supported through training and guidance for officers.

87. The Council has established a set of values. These were co-produced by staff and aim to guide behaviour at work in a way that supports productivity and a positive environment, and gives customers a good experience. The Council values are: "people are at the heart of what we do", "openness and honesty are important to us", and, "together we get things done". The Council has created materials to help services integrate these values into their ways of working.
88. The Council consistently emphasises the importance of good pastoral management. This is integral to the corporate plan. The Council has been working to improve the take-up of the employee assistance programme, and has prioritised work to support staff who work on serious incidents or who are responsible for using social media for business purposes.
89. The Council is making changes to improve information management. This includes planned changes to the structure of the Council's communications function and to the information management operating model and strategy. Linked to the value "openness and honesty are important to us", the Council has an ambition to increase open data as much as possible and appropriate. This should help residents access the information they want.

Actions on wider Council issues (recommendations 8-11)

90. As an integrated part of Future Sheffield and its initial priorities, the Council will take forward a series of shorter-term actions which will help lay further foundations to improve engagement and essential processes. Linked to the Council values, we will:

Openness and honesty are important to us

- a. commission case studies which demonstrate the issues highlighted by a range of reports and the good practice which exists across the organisation (particularly good practice on engagement, including SSTP). These will be shared across the organisation to enable services to learn from each other, replicate what works and avoid pitfalls. Led by Claire Taylor, Chief Operating Officer, by December 2023.
- b. develop plans to embed a climate of engagement. Led by James Henderson, Director of Policy and Democratic Engagement working with teams and expertise across the Council by April 2024:
 - i. gather good practice,
 - ii. understand where in the organisation further work on engagement is needed and appropriate (including increasing public voice within the Committee system), and

- iii. design options which consider the capacity building needed, including any necessary investment in training and resources.
- c. Having proactively shared the Inquiry report with the ICO and taken up a consensual FOI audit offer leading to a report during July, implement any immediate actions. Led by Jo Wright-Coe, Programme Director for Future Sheffield, by 30 September 2023.
- d. contact the LGO to liaise with them on the Inquiry report and the Council's plans to respond to the recommendations. Led by David Hollis, interim General Counsel and Monitoring Officer, by 30 September 2023.

Together we get things done

- e. prioritise work on the cultural aspects of governance. Led by James Henderson, Director of Policy and Democratic Engagement, by April 2024:
 - i. develop a shared understanding about how the Council wants to achieve the aims and benefits to the city of the change to a Committee system of governance, brought about by the 2021 referendum;
 - ii. further develop elected member engagement and learning and development; and,
 - iii. further develop guidance for officers to maximise the benefits of the new system and improve the quality, timeliness and breadth of advice and briefing.

People are at the heart of what we do

- f. building on the values work to date, we will integrate a Senior Manager Pledge into the forthcoming performance and accountability statement for directors and above. This will make clear the principles of behaviour to which all senior managers will subscribe and will be available for all staff to see. Led by Claire Taylor, Chief Operating Officer, by December 2023.
 - g. Take to audit and standards committee a report on whether the standards regime and Councillor Code of Conduct need updating, particularly considering the Inquiry findings and motion at the EGM on 10 May. Led by David Hollis, interim General Counsel and Monitoring Officer, by December 2023.
91. To further integrate learning into the Council, and building on the LGA corporate peer challenge report, the Council will take forward longer-term action aligned with our values:

Openness and honesty are important to us

- a. Build on the shorter-term activity to embed ways of working which support good information management and communication, including welcoming the ICO FOI re-visit in summer 2024. Monitor and identify where further communication is needed so that the public understand the processes for information management and communications. Use data from information management and communications activity, such

as spikes in FOIs, to identify emerging issues and inform what information should be more widely shared so that the public can access information easily. Led by Jo Wright-Coe, Programme Director for Future Sheffield by July 2024.

Together we get things done

- b. begin to implement options designed through the action above to give public voice greater weight and ensure genuine engagement and cross-service working. (Led by James Henderson, Director of Policy and Democratic Engagement, during 2024/25)
- c. implement any recommendations following the liaison with the LGO. Led by David Hollis, interim General Counsel and Monitoring Officer.
- d. assess the relative merits of different models for overseeing large scale contracts (such as Streets Ahead, Veolia, Museums Trust and others), including what we currently do internally and approaches used by other organisations, including the Major Projects approach used in central government. Led by Claire Taylor, Chief Operating Officer, commencing 2024/25.
- e. work with other organisations to investigate how we enable peer support between organisations with similar governance responsibilities, for example sharing learning with the South Yorkshire Mayoral Authority. This work will link with the proposals which address managing the Streets Ahead programme, its legacy and the wind-down of PFI programmes across the Council and country. Led by Claire Taylor, Chief Operating Officer, commencing 2024/25.

People are at the heart of what we do

- f. further develop and implement an employee engagement strategy. Led Claire Taylor, Chief Operating Officer, 2024/2025.
- g. Take forward actions identified by the report to audit and standards committee on the standards regime and Councillor Code of Conduct. Led by David Hollis, interim General Counsel and Monitoring Officer, 2024/25.

92. The Council proposes allocating up to £50,000 to provide additional resource to support the shorter-term actions. The longer-term actions can be scoped within this budget to support feasibility exploration, however the outcomes are likely to have financial implications which will be defined through future advice at the appropriate time. These actions will be monitored by the named directors who will report to Performance and Delivery Board or the Future Sheffield Programme Board (as applicable), and Strategy and Resources Committee.

93. Collectively, these shorter- and longer-term actions should ensure that learning from the past supports the Council to become a more resilient and adaptable organisation.

Action: the committee should agree and endorse the shorter-term actions at paragraph 90 and the longer-term actions at paragraph 91 and agree the budget of up to £50,000. By agreeing the longer-term actions, the

Committee will be agreeing to consider advice which may have further funding implications.

Further investigations

94. There have been some calls for the Council to consider commissioning further investigations. Some of these have asked the Council to consider whether there are any grounds for a criminal investigation or a Public Interest Report.
95. As set out above, the Terms of Reference for the Inquiry would not have precluded the Independent Chair from reaching a conclusion that the Council had acted unlawfully in one or more respects, had he formed such a view. At the EGM on 10 May, Sir Mark Lowcock drew the Council's attention to paragraph 985 on page 189 of the Inquiry report. This section of the report explains that, having exhaustively looked at all the available evidence, the Inquiry did not find that the Council had exceeded the use of its authority, or that there had been criminal conduct, contempt of court, or breach of professional standards. Reflecting on that he said: "I understand that it is always possible in cases like this to find further questions to pursue. I do want, though, to offer you my view that I am sceptical that relitigating things that happened during the dispute or commissioning further investigations, given everything the Inquiry (and others before us) have done, is likely to help you very much. You have spent quite a lot of money now establishing what went wrong in the past. I hope you will now focus on learning the lessons and ensuring that you can manage things well in future".
96. There have also been calls for a Public Interest Report (PIR) by the Council's auditors. These reports cannot be commissioned by the Council but rather are part of the range of statutory tools available to the auditors based on their judgement of what is required. The Council has spoken with its auditors, shared with them the Inquiry report and made clear it will engage with any action the auditors choose to take. The auditors have confirmed that they will advise the Council on their intentions following their consideration of the Inquiry findings and this report to Strategy and Resources Committee. Should they decide that the Council is not making sufficient progress or identify issues severe enough, they would in the first instance make statutory recommendations prior to moving to commencing a Public Interest Report.
97. Having considered the Inquiry report, this report recommends treating the Inquiry report as the definitive version of the truth and focusing on work with the LGO and ICO and learning from recent reports (including from Bevan Brittan LLP and the LGA). The Council will comply willingly should the auditors choose to take further action.
98. This report does not recommend commissioning additional reports or investigations into the street trees dispute as they would be unlikely to make new findings and the Council has already invested substantially in investigating the dispute.
99. The work with the LGO, ICO and responding to the LGA recommendations, sit alongside and do not change the Council's complaints and disciplinary processes. Further accountability will be ensured through monitoring by the Council's internal audit function.

Action: that the Committee agree this position on further external reports.

Annex A: summary table of actions – see accompanying document.

Annex B: Council overarching apology

DRAFT: subject to discussion and agreement by Strategy and Resources committee on 19 June 2023

An open apology to all residents of Sheffield, and beyond, for Sheffield City Council's actions during the street tree dispute.

We are sorry for the actions that we took during the street trees dispute.

We recognise that this full apology, for some, is a long time coming, and we understand that due to the Council's behaviour, some people will never forgive Sheffield City Council and have lost trust and faith in us. We hope that this apology will begin the process of restoring trust and faith.

We would like to specifically apologise to campaigners. We are sorry that they were misrepresented as unrepresentative and primarily concerned with their own streets. This inaccurate characterisation sowed discord within communities. A lot of people care about our street trees and gave their time and energy to try to protect them for the benefit of the whole city.

Since the publication of the Sheffield Street Trees Inquiry Report by Sir Mark Lowcock on 6 March 2023, we have taken time to study and understand the findings and reflect on our behaviour. The mistakes the Council made were set out very clearly by Sir Mark Lowcock, they should not have happened, and we apologise for them unreservedly. We have committed to taking the action needed to ensure we learn from the past and never repeat those same mistakes again.

The Inquiry found serious errors of strategic leadership and wisdom of decision making during the dispute. The errors made were enabled by an unsympathetic culture and problems with the quality of advice, capability, systems and resourcing which were not addressed when they should have been. Members' and officers' treatment of the public was at times poor, falling short of how we want to behave. There was little openness to scrutiny and a lack of use of guidance, good practice and consultation which could have alerted the Council and Amey to major issues in the design and implementation of the original tree replacement programme.

During the dispute the Council failed to communicate in an open and honest way, let misinformation enter the public domain and allowed it to remain there. Failing to consult, engage and listen to the public, experts and organisations, all of whom who should have been our partners, made these mistakes worse.

The errors that the Council made led to harm. Our own staff, contractors and subcontractors were placed in unacceptable positions and subject to harassment. Protesters and campaigners were maligned, injured and experienced physical, emotional, and for some financial, stress. The action the Council took damaged Sheffield's reputation in a way that casts a long shadow.

The Council decided on the removal of healthy trees which should still be standing today. These healthy trees were important to residents and gave communities and the city benefits which were overlooked. Residents should not have had to fight their Council to retain and value healthy trees, particularly not

those with special significance such as memorial, rare or veteran trees. We recognise that we got so much of this wrong and we apologise unreservedly.

Missed opportunities and inadequate risk assessment

In the design of the original tree replacement programme, while the Council did follow required processes and procedures, it did so with too narrow a focus and did not consider the values of trees from a biodiversity, wellbeing or climate perspective. Inadequate risk assessment meant that there were flaws in the approach which were not noticed or addressed. The Council misinterpreted data it had commissioned leading to wrongly including in the contract the aim to replace 50% of Sheffield's street trees. These are serious issues. But they did not make it inevitable that a dispute would arise. That happened because of the decisions the Council made in handling the dispute and not suitably exploring alternative approaches before 2018.

We are sorry for developing and adopting a flawed plan and including the aim to replace half of the city's streets trees. It was not made clear enough to everyone that this meant healthy trees would be removed, and that this would disproportionately affect some parts of the city. We accept that the responsibility for this rests with senior Council officers and senior politicians in the administrations of the governing groups between 2006 and 2012.

Once the dispute emerged, a lack of corporate oversight, control and leadership meant the escalating approach went unchecked for too long. This had serious consequences for the Council and organisations and individuals across the city.

Sustained failure of strategic leadership

Throughout the dispute too often decisions were made reactively and based on what the Council was entitled to do rather than what was wise to do. Insufficient thought was given to whether the actions taken to address the protests were the right thing to do or likely to be effective in resolving the real causes of the dispute. As the Inquiry points out, during the dispute the Council consistently chose to escalate the actions it took which understandably motivated those who disagreed with the tree replacement programme.

There were signs that the tree replacement programme was not progressing well from 2012. These should have been heeded. The events of Autumn 2016 should have been a final and clear indication that the approach we were taking was ineffective, inappropriate and should be rethought rapidly. The first arrests and the Rustlings Road operation should have acted as a wake-up call to the Council and should have told us that we were not listening, working in siloes and in secrecy and had placed the police in an invidious position. As the Inquiry notes, the Council had negotiating power and could have looked to vary the contract to start to resolve the dispute. Instead, the Council chose to escalate, including taking an unwisely punitive approach to contract managing Amey.

The Inquiry found that the dispute could have been resolved earlier. It drew particular attention to the opportunities missed in January 2018 when the Council chose to press Amey to continue with tree replacement, and the police for stronger action, even though major contract milestones had been met. This created the conditions for some of the worst on-street protests. This was unnecessary and harmful.

The Inquiry found that while the Council was entitled to take the legal action it did, it did not consider the wisdom or effectiveness of this action. It stretched, though did not break, the proportionate use of its authority beyond reasonable limits. This unwise action particularly affected people who were asked to sign legal agreements with the Council or the Court, named in the injunctions or had committal proceedings brought against them. The Council's actions had particularly serious implications for those found in breach of the injunctions, and we will work with them to maximise what can be done to address any ongoing impact of the committal proceedings. We also want to offer specific apologies to former Councillor Alison Teal. The Inquiry observed that seeking punishment through the Courts of an elected opposition politician, who was clear that she intended to comply with the law, sits badly with democratic tradition.

We are sorry that these failures arose and that we did not take a different course of action earlier. Had we done so, we would likely have avoided the deep rifts with some of our residents and avoided some of the worse on-street clashes and the harms which those caused to people and workers present, communities and the city.

A culture unreceptive to external views, discouraging of internal dissent and prone to group-think

The Inquiry report describes ways of working in the Council during the dispute which fall far short of what we want to be as an organisation. It talks of an insular culture which was defensive and at times focused on blame and passing responsibility. This meant that our own staff, experts and the public received dismissive and rude treatment and had their concerns minimised. When organisations are insular and unwelcoming of scrutiny they can also become prone to group-think. This happened within the Council during the dispute and we have gone to great lengths to avoid ever repeating this mistake, it just cannot happen if we are to be the organisation the city deserves.

The Inquiry attributes the culture and strategic leadership failures ultimately to the political leadership who were responsible for setting the direction and tone. But they were not well enough supported by senior officers and the executive who should have focused on helping the politicians resolve the dispute, rather than sticking steadfastly to a flawed programme.

This approach set the tone for the communications during the dispute which the Inquiry described as untransparent and which saw members and officers say things that were misleading. We would like in particular to apologise for repeatedly saying in the media, and in correspondence, that there was no target for the tree replacement programme, that felling was always a last resort and that any change to the tree replacement programme would result in catastrophic costs. It is clear that this was not the case.

It was not only the public who were misled. While the Inquiry found that the outcomes of legal action would have been the same without the Council's version of the 5-year tree management strategy, this document was misleading and mishandled. The Council should have removed it from circulation and made the Courts aware that it was not part of Amey's operational approach. Misleading the Courts is a serious matter and we will write to them to apologise.

The Council also set-up, undermined and misled the Independent Tree Panel, most significantly over the engineering solutions available to save trees. It

rejected many recommendations the panel made. This was destructive of public trust and disrespectful to the time, effort and professionalism of the panel. If the panel's advice had been followed the dispute may not have escalated as it did.

The Inquiry concluded that the political direction and mood within the Council was to prevail in the dispute and not to find a compromise. This is not the way we wish to behave as a Council. The Council exists to meet the needs of the city and to do that it must be flexible and seek to learn, understand and change, as well as make difficult decisions. We are sorry that the behaviour of the Council during the dispute years had such a negative effect on staff, contractors, experts, the public, and extended the dispute.

A lack of transparency, openness and on occasion, honesty

The Inquiry repeatedly highlights the problems created by a lack of engagement and consultation. During the design phase, the Council did not learn lessons from the past nor ask the right questions of the right people. There was also a lack of insight into how communities would react which could have been anticipated had the Council chosen to undertake wider consultation.

During implementation the Council did not listen to warnings offered by Council staff, unions or local business leaders. This dismissive approach continued when concerns escalated. Knowledgeable people and organisations who the Council could have worked with were ignored, as were repeated calls for a political resolution to the dispute. This was exacerbated by failures to meet information requests; we withheld too much information for too long.

These issues highlighted by the Inquiry have also been remarked on by other investigations. Collectively, they warn the Council that these issues must be addressed throughout the organisation. We are aware of these issues and are working hard to ensure that they are tackled and that we welcome scrutiny to monitor our progress through formal processes and from residents. We are sorry that we have lost the trust of some of our residents. We recognise trust is earned and we have work to do to get to a place where the faith is restored. While the road is long, we are committed.

Moving forward together

As Sir Mark Lowcock told the Council in his report, the starting point for reconciliation is a truthful and comprehensive account of what happened and why it happened. The Inquiry report provides this definitively.

We are grateful for the efforts from all of those who have worked to help Sheffield recover from the dispute. The joint tree inspections, establishment of the Sheffield Street Tree Partnership and the publication of its Strategy and changes to the Streets Ahead contract and the Inquiry, all mitigate against the dispute re-emerging. We will continue to build on this progress, and ensure if new problems and opportunities arise, we have the tools and a spirit of partnership to deal with them.

Five years on, the Council is already a very different place. Through working openly and inviting scrutiny we are developing an understanding of where we need to improve. Actions including the development of our values have changed the way we work, placing people at the heart of what we do.

We understand that apologies without actions are meaningless. We have set-out actions in a formal report to Strategy and Resources Committee which will address all the Inquiry's recommendations. While we know that the decisions Sheffield City Council takes will continue to require challenging trade-offs, this should ensure that lessons are learnt and that a dispute of this magnitude with our residents can never happen again.

We look forward to working with the residents of Sheffield going forward so we can continue our work to be the best we can be. We will listen and learn, we will try and maybe we will fail sometimes. Failing and making mistakes is a part of life, but refusing to listen and learn is a mistake we can never repeat.

[Signature]

[Signature]

**[Councillor Tom Hunt, Leader of
Sheffield City Council]**

**[Kate Josephs, Chief Executive of
Sheffield City Council]**

[20 June 2023]

Annex C: process for individual apologies

Individual contacts Council at dedicated email address: StreetTreesResponse@sheffield.gov.uk	
Officer acknowledges email and confirms whether the individual is seeking a written apology, in-person (including virtual meeting) apology or both.	
Written apology	In-person / both in-person and written apology
Individual confirms the subjects for which they are seeking an apology, supplying the level of detail they feel comfortable with.	Individual confirms the subjects for which they are seeking an apology, supplying the level of detail they feel comfortable with.
Officer arranges written apology from appropriate person.	Officer finds the appropriate person to give the apology, gets from them a set of potential dates and shares these with the individual.
Apology is written and emailed and posted (if postal address has been supplied) to the individual. [End of process]	Individual confirms the date and whether they want to attend in-person or virtually via MSTeams.
	Meeting to give apology takes place.
	If desired: written copy of the apology is emailed and posted (if postal address has been supplied) to the individual. [End of process]

Notes

1. Individuals seeking individual apologies need to contact the Council by 30 September 2023 via the dedicated email address:
StreetTreesResponse@sheffield.gov.uk.
2. The individual can cease the process at any point. Non-contact from an individual following a reminder email from the Council for a period greater than 4 weeks will be taken as an indication that the individual no longer wishes to take part in the process. Should the individual wish to reopen the process, they can do so via the same dedicated email address so long as they reopen contact by 30 September 2023.
3. The Council will identify whether a current executive level officer or the current Leader, or Deputy Leader, of the Council will make the apology. Some individuals may have a preference which will be taken into account but the Council will retain the decision on who the apology comes from. The Council cannot arrange for former officers who no longer work for the Council or former Councillors to make apologies.
4. If the individual requests a meeting up to two officers/members will be present. Individuals are welcome to bring one additional person with them.

5. All apologies will be arranged and delivered promptly, and by 31 October 2023 at the latest.
6. Any contact relating to requests for apologies which are not already in the system after 30 September 2023 should be directed to the Council's usual contact form and will be dealt with on a case-by-case basis.

Annex D: STAG apology



THE SHEFFIELD TREE ACTION GROUP (STAG)

An Apology

Sir Mark Lowcock's report into the Sheffield Street Tree Dispute said:

The Inquiry also found examples of unacceptable behaviour – in particular, involving the harassment and abuse of public officials and their families – by a number of people supportive of or involved with the campaign. An acknowledgment of that would be appropriate and would also support reconciliation.

As the Elected Committee of STAG we agree completely with Sir Mark's recommendation.

We are very sorry for any distress or harm arising from the behaviour of anyone involved in our campaign. Perhaps it is inevitable that some people in a campaign like ours will become angry and say or do things that go beyond the principles of peaceful protest, which we emphasised throughout the campaign, but it is never acceptable.

In particular we wish to express our sympathy for all workers who became involved in the dispute, through no choice of their own, and any local residents who suffered distress when the dispute affected them in their homes and neighbourhood.

The STAG Elected Committee

Annex E – the Kinder Scout mass trespass plaque



Category	Recommendation	Action	Corporate monitoring		Responsible Committee	Deadline	Status
			Officer	Board			
Accountability		Bring to the June S&R committee a report setting out how each of the Inquiry's recommendations will be implemented.	Chief Executive	Senior Leadership Board	Strategy and Resources	19-Jun-23	Complete
		Report against progress on these actions and those for other recent reports during winter 2023.	Chief Operating Officer	Performance and delivery	Strategy and Resources	Dec-23	
		Report against progress on these actions and those for other recent reports during summer 2024.	Chief Operating Officer	Performance and delivery	Strategy and Resources	Jul-24	
Reconciliation	1 and 3	Overarching apology agreed, hosted in a permanent location on the Council's website and proactively distributed to local media and interested bodies named in the Inquiry report.	Director of Policy and Democratic Engagement	Performance and delivery	Strategy and Resources	30-Jun-23	
		Apologies based on the overarching apology issued to the nine categories of people and organisations detailed in the June 2023 S&R report.	Director of Policy and Democratic Engagement // General Counsel and Monitoring Officer	Performance and delivery	Strategy and Resources	01-Sep-23	
		Mechanism to enable individuals who are owed an apology to self-identify in place and apologies given.	Director of Policy and Democratic Engagement	Performance and delivery	Strategy and Resources	31-Oct-23	
	4	Drop pursuit of outstanding Court ordered costs resulting from legal action during the dispute.	General Counsel and Monitoring Officer	Performance and delivery	Strategy and Resources	Mar-23	Complete
		Reimburse people who made payments against Court ordered costs resulting from legal action during the dispute.	General Counsel and Monitoring Officer	Performance and delivery	Strategy and Resources	Apr-23	Complete
	10 May Extraordinary General Meeting motion	Install a 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."	Director of Street Scene & Regulations Services	Performance and delivery	Strategy and Resources	Mar-24	
	7	Have designs in place for all roads outstanding from 2018, including the Sheffield Street Tree Partnership in this process.	Director of Street Scene & Regulations Services	Performance and delivery	Waste and Street Scene Committee	Mar-24	
Complete work on roads outstanding from 2018.					30-Apr-25		
5	Ensure director level Sheffield Street Tree Partnership membership from the Council and director level oversight from Amey.	Director of Street Scene & Regulations Services	Performance and delivery	Waste and Street Scene Committee	Ongoing	Complete	
	Chief Executive to meet with the Sheffield Street Tree Partnership annually.	Director of Street Scene & Regulations Services	Performance and delivery	Waste and Street Scene Committee	Ongoing	Complete	
	Complete recruitment for a Business Manager post to provide dedicated administrative and facilitation support to the Sheffield Street Tree Partnership.	Director of Street Scene & Regulations Services	Performance and delivery	Waste and Street Scene Committee	30-Sep-23		

Streets Ahead

	Investigate how to support the Sheffield Street Tree Partnership to continue to develop and continuously improve including looking at: decision making, elected member engagement, information sharing, external scrutiny and status.	Director of Street Scene & Regulations Services	Performance and delivery	Strategy and Resources	Jul-24	
6	Create new roles and capacity to support Streets Ahead: contract requirements; budget and statutory duties; approaches which evolve to meet local needs; preparation, design, delivery and recording of work to existing and new sections of the highway; working across Council boundaries.	Director of Street Scene & Regulations Services	Performance and delivery	Waste and Street Scene Committee	Oct-23	
7	Work with Amey to ensure that the design of the tree inspector capacity meets the needs of the current street tree stock and the ambitions of the Sheffield Street Tree Partnership strategy.	Director of Street Scene & Regulations Services	Performance and delivery	Waste and Street Scene Committee	Dec-23	
6	Update and keep as a living document the Streets Ahead business case, in line with best practice.	Director of Street Scene & Regulations Services	Performance and delivery	Waste and Street Scene Committee	Dec-23	
	Review the function of the strategic management board.	Director of Street Scene & Regulations Services	Performance and delivery	Waste and Street Scene Committee	Dec-23	
	Comprehensive analysis of the capacity and skills needed to manage the Streets Ahead contract strategically across the next 14 years.	Director of Street Scene & Regulations Services	Performance and delivery	Waste and Street Scene Committee	Apr-25	
	Develop high-level principles to set the approach for planning the end of the contract in 2037 at least 7 years in advance of the end of the contract.	Director of Street Scene & Regulations Services	Performance and delivery	Waste and Street Scene Committee	Dec-29	
	Commence work with Amey, other authorities and central government to understand the impact of many PFI projects coming to an end within a short period of time.	Director of Street Scene & Regulations Services	Performance and delivery	Waste and Street Scene Committee	Apr-25	
8	Commission case studies which exemplify the issues highlighted by a range of reports and the good practice which exists across the organisation (particularly on partnership working).	Chief Operating Officer	Performance and delivery	Strategy and Resources	Dec-23	
10 & 8	Develop plans to embed a climate of engagement.	Director of Policy and Democratic Engagement	Performance and delivery	Strategy and Resources	Apr-24	
11	Implement any immediate actions arising from the consensual ICO FOI audit.	Programme Director, Future Sheffield	Performance and delivery	Strategy and Resources	30-Sep-23	
	Contact the LGO to liaise with them on the Inquiry report and the Council's plans to respond to the recommendations.	General Counsel and Monitoring Officer	Performance and delivery	Strategy and Resources	30-Sep-23	
10	Prioritise work on the cultural aspects of governance.	Director of Policy and Democratic Engagement	Performance and delivery	Strategy and Resources	Apr-24	
	Create a Senior Manager Pledge.	Chief Operating Officer	Performance and delivery	Strategy and Resources	Dec-23	

Wider Council	9	Take to audit and standards committee a report on whether the standards regime and Councillor Code of Conduct need updating.	General Counsel and Monitoring Officer	Performance and delivery	Strategy and Resources	Dec-23	
	11	Embed ways of working which support good information management and communication.	Programme Director, Future Sheffield	Performance and delivery	Strategy and Resources	Jul-24	
	10 & 8	Implement further options identified to increase engagement.	Director of Policy and Democratic Engagement	Performance and delivery	Strategy and Resources	Apr-25	
		Implement any recommendations from the LGO.	General Counsel and Monitoring Officer	Performance and delivery	Strategy and Resources	Timings to be determined based on LGO view	
	10	Commence assessing the relative merits of different models for overseeing large scale contracts.	Chief Operating Officer	Performance and delivery	Strategy and Resources	Apr-25	
		Commence investigating how we enable peer support between organisations with similar governance responsibilities.	Chief Operating Officer	Performance and delivery	Strategy and Resources	Apr-25	
	9	Further develop and implement an employee engagement strategy.	Chief Operating Officer	Performance and delivery	Strategy and Resources	Apr-25	
		Take forward actions identified by the report to audit and standards committee on the standards regime and Councillor Code of Conduct.	General Counsel and Monitoring Officer	Performance and delivery	Strategy and Resources	Apr-25	

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PART A - Initial Impact Assessment

Proposal Name: Tree Inquiry Response (EIA ID: #2121)

EIA Author: Lucy Heyes

Proposal Outline: The report sets out how the Council will act on all of the recommendations from the Sheffield street trees Inquiry, published by Sir Mark Lowcock KCB on the 6 March 2023. The Council aims to ensure that the lessons of the Inquiry are learnt and systematic change made across the organisation to ensure that a dispute like this does not arise again in any service for which the Council is responsible.

Proposal Type: Budget

Entered on QTier: No

QTier Ref: #

Year Of Proposal: 23/24

Lead Director for proposal: Kate Josephs

Service Area: Chief Executive

EIA Start Date: 6/8/2023

Lead Equality Objective: Understanding Communities

Equality Lead Officer: Ed Sexton

Committees:

Policy Committees

- Strategy & Resources

Portfolio**Primary Portfolio:**

Street Scene & Regulations Services

EIA is cross portfolio:

Yes

Future Sheffield

EIA is joint with another organisation:

No

Overview of Impact**Overview Summary:**

The proposals aim to address all the of the recommendations of the Sheffield street trees Inquiry. In doing so, they support the ongoing aims of Street Scene & Regulations Services, in specific the management of the Streets Ahead contract and the achievements of the Sheffield Street Tree Partnership. The proposals around apologies and reconciliation aim to support the ongoing recovery from the dispute and improve trust between the Council and all residents. The overarching appology will be hosted on the Council's website and be available to all. Some groups require particular apologies, these will be sent directly to them. The recommendations related to the Streets head Contract and Sheffield Street Tree Partnership, support the Council's commitment to ensuring an equity of street tree canopy cover, including increasing the benefits of this in low cover and deprived areas. This should benefit those who live in those areas. There are documented mental health benefits to green infrastructure, these proposals support those to the benefit of all residents. The actions to address wider Council issues should improve services and processes for all residents equally.

Impacted characteristics:

- Poverty & Financial Inclusion

Consultation and other engagement

Cumulative Impact

Does the proposal have a cumulative impact:

Yes

The Inquiry received over 1.1 million documents and met with 159 people in private and 26 people at 32 hours of public hearings. This substantial evidence base was used to develop the Inquiry report which has been the foundation for the development of this report's recommended actions. The development of these actions has been supported by engagement with individuals and services across the Council, including the senior management, Amey and consultation with elected members. It has also been underpinned by representations from individuals, representative groups and a task-and-finish Implementation Working Group with attendees external to the Council. It also draws on the 10 May EGM, and the discussion sessions that followed it, which compiled views on implementation of the Streets Ahead and wider Council recommendations.

Impact areas:

Year on Year

Initial Sign-Off

Full impact assessment required:

Yes

Review Date:

6/1/2024

Health

Staff Impacted: No

Customers Impacted: Yes

Description of Impact: By supporting the aims of the Sheffield Street Tree Partnership Strategy, this report supports the aims to increase the tree canopy across the city and see it more evenly distributed. There are documented benefits to wellbeing, particularly mental health, of green infrastructure. Street trees also provide physical health benefits through cutting pollution and increasing shade, reducing the temperature of urban areas in a way that most benefits those with existing health conditions or who are very young or elderly.

Name of Lead Health Officer:

Comprehensive Assessment Being Completed: No

Public Health Lead signed off health impact(s):

Disability

Staff Impacted: No

Customers Impacted: Yes

Description of Impact: During the dispute at times the Council used accessibility reasoning to justify some of the messaging around why trees needed to be removed. These proposals do not do that, and instead support rights of those with disabilities to both access and green infrastructure.

Poverty & Financial Inclusion

Staff Impacted: No

Customers Impacted: Yes

Description of Impact: The recommendations related to the Streets head Contract and Sheffield Street Tree Partnership, support the Council's commitment to ensuring an equity of street tree canopy cover, including increasing the benefits of this in low cover and deprived areas.

Action Plan & Supporting Evidence

Outline of action plan: Implementation of the report's action as described and monitoring via the relevant boards and committees, listed within the report.

Action plan evidence: Sheffield Street Trees Partnership Strategy. Sheffield street trees Inquiry.

Changes made as a result of action plan:

Mitigation

Significant risk after mitigation measures: No

Outline of impact and risks:

Review Date

Review Date: 6/1/2024

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