



## Officer Decision Report

**Author/Lead Officer of Report:** Gillian Charters,  
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Maintenance

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**Report to:** Richard Eyre, Director of Street Scene & Regulation

**Date of Decision:** 10<sup>th</sup> January 2023

**Subject:** Street Tree Service Outcomes Amends

Has an Equality Impact Assessment (EIA) been undertaken?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
If YES, what EIA reference number has it been given? <i>(Insert reference number)</i>				
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"/>
If YES, give details as to whether the exemption applies to the full report / part of the report and/or appendices and complete below:-  <i>"The (<b>report/appendix</b>) is not for publication because it contains exempt information under Paragraph (<b>insert relevant paragraph number</b>) of Schedule 12A of the Local Government Act 1972 (as amended)."</i>				

### Purpose of Report:

To update the Street Ahead Highways Maintenance Contract to reflect the Sheffield Street Tree Partnership Strategy, which sets out an approach to retain street trees where possible by using a flexible combination of arboricultural or highway engineering solutions, enhanced monitoring and maintenance of street trees, appropriate species selection, and decisions on the removal and replacement of street trees made on a case-by-case basis

## Recommendations:

That the Director of Streetscene and Regulations approves the proposals to vary the Highways Maintenance Contract as set out in this report to:

- remove the requirement for a five-year tree management strategy and replace this with a requirement to co-operate with the Street Tree Partnership.
- add a new requirement to provide health and safety training and equipment for the Street Tree Wardens.
- remove the quantities of 200 trees per year and 17,500 trees by the end of the term from Performance Requirement 6.38 of Schedule 2 Part 6 (Service Standard 6).
- align the selection of replacement street trees to species as detailed in the Sheffield Street Tree Strategy.
- make any necessary consequential amendments to give effect to the changes above.

## Background Papers:

Approval of the Sheffield Street Tree Strategy as a supplement to the Sheffield Trees & Woodlands Strategy 2018-33 (Report to Cabinet 17<sup>th</sup> March 2021).

Lead Officer to complete:-		
1	I have consulted the relevant departments in respect of any relevant implications indicated on the Statutory and Council Policy Checklist, and comments have been incorporated / additional forms completed / EIA completed, where required.	Finance: James Lyons
		Legal: Sarah Bennett
		Equalities & Consultation: Annemarie Johnston
		Climate: Jessica Rick
	<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	<b>SLB member who approved submission:</b>	<i>Ajman Ali</i>
3	<b>Relevant Policy Committee</b>	Waste and Street Scene Policy 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 Decision Maker by the SLB member indicated at 2. In addition, any additional forms have been completed and signed off as required at 1.	
	<b>Lead Officer Name:</b> Gillian Charters	<b>Job Title:</b> Head of Waste Management & Highway Maintenance
	<b>Date:</b> 10 <sup>th</sup> January 2023	

## 1. PROPOSAL

- 1.1 As a highway authority, the council has a duty to maintain safe and accessible highway for all members of the public, and that people and property are protected from hazards on the roads or pavements.
- 1.2 The council has outsourced all aspects of highway maintenance, including maintenance and management of all street trees to Amey as part of a 25-year PFI contract which commenced in 2012.
- 1.3 Since commencement, Amey have produced a five-year tree management strategy setting out their approach to delivering the street tree management element of the contract. This included removing and replacing stock with smaller species to prevent future damage to road and pavement surfaces. The plan was reviewed, updated, and published annually up to 2018.
- 1.4 The approach to felling and replacing street tree stock became a high-profile public interest issue with significant local protests and challenge to Amey and the council.
- 1.5 In 2018, a series of mediated talks between the council, Amey and Sheffield Tree Action Groups explored the different positions and options to move forward. A joint position statement was issued in December 2018:  
*'All parties agreed that the approach to the future management of the city's street trees should be set out in a new street tree strategy informed by a wide range of stakeholders.'*  
Sheffield Street Tree Partnership Strategy
- 1.6 The Sheffield Street Tree Partnership was established in August 2019 with community representatives, the council, Amey, the Woodland Trust, independent tree experts and chaired independently by the Sheffield & Rotherham Wildlife Trust.
- 1.7 The Sheffield Street Tree Partnership Strategy was approved by Cabinet in March 2021. As such the six outcomes detailed in the strategy are the framework for how we seek to manage our street tree stock.
- 1.8 The Sheffield Street Tree Partnership Strategy outcomes therefore mean that the details Amey were expected to provide in the submission of the five-year tree management strategy are no longer required, or would be a duplication of the outcomes in the strategy.
- 1.9 The proposal is therefore to replace the requirement to provide the strategy with a duty to co-operate including the provision of data and reports to support the aims of the Sheffield Street Tree Partnership Strategy including the providing data and reports to support its aims. As the day to day management of the tree stock is the responsibility of Amey they will continue to hold the most accurate data relating to this.

- 1.10 *Existing Performance Requirement 6.34*  
The Service Provider shall prepare and, following the first Contract Year, update the Five-Year Tree Management Strategy, in accordance with Annexure 3 to this Service Standard 6, and submit the same to the Authority by 1<sup>st</sup> December in each Contract Year pursuant to the Review Procedure.
- 1.10i *Proposed Performance Requirement 6.34*  
The Service Provider shall have a duty to cooperate with the Sheffield Street Tree Partnership. This shall include the provision of data, information and reports to support the overall aims of the Strategy and the decision-making process for individual trees.
- 1.11 It is also proposed that Annexure 3 to Service Standard 6 be deleted and replaced with “Not Used”.
- 1.12 The Sheffield Street Tree Wardens are a new initiative supported by the partnership, to champion street trees in their area. The proposal is for Amey to provide health and safety training plus any equipment needed for the Sheffield Street Tree Wardens to be able to fulfil their roles. Amey are best placed to assume this responsibility on behalf of the Street Tree Partnership as they are responsible for ensuring safe working of their teams on a day to day basis across the delivery of the contract with the council.
- 1.13 *Performance Requirement 6.36, currently not used, now proposed to be:*  
The Service Provider shall provide two sessions per annum of health and safety training and any equipment required, as necessary and as determined by the Service Provider (acting reasonably), for each Street Tree Warden.
- 1.14 There has been considerable public concern that Performance Requirement 6.38 contains reference to the replacement of 200 street trees a year and 17,500 street trees over the term of the contract. Whilst the council is clear these are not targets for removal for the contractor, in the spirit of the excellent work of the Sheffield Street Tree Partnership and our commitment to the Street Tree Partnership Strategy, it is proposed that the specific quantities are removed.
- 1.15 *Existing Performance Requirement 6.38:*  
The Service Provider shall replace Highway Trees in accordance with the Annual Tree Management Programme at a rate of not less than 200 per year so that 17,500 Highway Trees are replaced by the end of the Term, such replacement to be in accordance with the Highway Tree Replacement Policy, unless Authority Approval has been obtained for deviation from this policy.
- 1.15i *Proposed Performance Requirement 6.38*  
The Service Provider shall replace Highway Trees in accordance with Annual Tree Management Programme, such replacement to be in accordance with the Sheffield Street Tree Partnership Strategy, unless Authority Approval has been obtained for deviation from this policy.
- 1.16 The Sheffield Street Tree Partnership Strategy details factors to consider when selecting trees for street planting. This is to guide selection of appropriate species given the local environmental factors such as space and local conditions. The strategy also includes an analysis of the relative benefits of a

range of species suited to street planting for Sheffield and the proposal is that this replaces the Highway Tree Replacement Policy.

1.17 *Existing Performance Requirement 6.39:*

The Service Provider shall ensure that each replacement or additional Highway Tree is of an appropriate level of maturity having regard to the location of the replacement or additional Highway Tree required and is of a species included in the Appropriate Species List in the Highway Tree Replacement Policy.

1.17i *Proposed Performance Requirement 6.39*

The Service Provider shall ensure that each replacement or additional Highway Tree is of an appropriate level of maturity having regard to the location of the replacement or additional Highway Tree required and is of a species included in the Appropriate Species List in the Sheffield Street Tree Partnership Strategy

1.18 The amended Performance Requirements are provided in appendix 1. The service points have been redacted as per the commercial confidentiality of the publication of the contract.

## **2. HOW DOES THIS DECISION CONTRIBUTE ?**

2.1 The Sheffield One Year Corporate Plan was developed to focus the council on supporting Sheffield to build back from the covid pandemic. In this the council recognises to be an outstanding organisation, *we must be connected to our communities; a Council in and of our communities working in the open, with and alongside people – a visible, accessible organisation.*

2.2 The new partnership approach of the Sheffield Street Tree Partnership, to overseeing our strategy for street tree stock in the city reflects this approach. The proposals in this report provide a transparent translation of the strategy aspirations into the delivery mechanism of the council's contract with Amey.

## **3. HAS THERE BEEN ANY CONSULTATION?**

3.1 Over 280 people and organisations responded to the Sheffield Street Tree Strategy between July and September 2020. The feedback was incorporated into the strategy as approved by Cabinet in March 2021.

3.2 The proposals in this report will ensure that the contractual requirements reflect the agreed strategy but do not affect service delivery to customers. Therefore, no further consultation has been undertaken.

3.3 The Sheffield Street Tree Partnership have been made aware of the proposals in this report. The minutes of the Sheffield Street Tree Partnership are published on the Sheffield and Rotherham Wildlife Trust website.

## **4. RISK ANALYSIS AND IMPLICATIONS OF THE DECISION**

### **4.1 Equality Implications**

- 4.1.1 This proposal supports the ongoing implementation of the Sheffield Street Tree Partnership Strategy, for which an Equality Impact Assessment was completed. This considered the outcomes and actions of the strategy in line with the Public Sector Equality Duty and the interests of all members of the public, including those with protected characteristics, from any hazards presented by street trees.
- 4.1.2 This Equality Impact Assessment identified:
- Positive and negative impacts: Health
  - Positive impact: Age; disability; pregnancy/maternity; race; poverty & financial inclusion.
- 4.1.3 The Equality Impact Assessment will be kept under review with the development and delivery of the strategy outcomes and actions.

### **4.2 Financial and Commercial Implications**

- 4.2.1 There are no financial implications arising from the proposals. There is no reduction in resource for Amey from the proposed amendments.

### **4.3 Legal Implications**

- 4.3.1 If approved, the proposals detailed amend the highways maintenance contract to reflect the new direction of the Sheffield Street Tree Partnership Strategy.
- 4.3.2 The proposals detailed at paragraphs 1.7 to 1.14 and 1.18 to 1.20 will change the outputs required from Amey to align the contract outputs to the outcomes of the Sheffield Street Tree Partnership Strategy. However, these changes are not considered to be material.
- 4.3.3 The change to Performance Requirement 6.38 is proposed in response to public concern and does not change the outputs required by Amey.
- 4.3.4 All of the changes proposed will be made in accordance with the change mechanism set out within the contract and comply with legal requirements.

### **4.4 Climate Implications**

- 4.4.1 It is important to consider the future climatic conditions street trees will be dealing with in 50-100 years time and ensure there is flexibility within the contract to plant trees that will be able to withstand future conditions. The potential negative biodiversity impacts of planting non-native trees is considered to be outweighed by the positive long term impacts of planting trees that will have the required longevity and adaptability to flourish in changing climatic conditions. This would help to maintain the particular amenity value of street trees whilst having an overall small impact on the total make up of tree cover.

- 4.4.2 Of note is that Street trees make up less than 1% of total tree cover in the city and have a particular purpose in terms of amenity value, mitigating urban heat effects, providing shade and cooling.

## **5. ALTERNATIVE OPTIONS CONSIDERED**

- 5.1 The option to 'do nothing' is not considered to be a viable option. The council is a committed partner of the Sheffield Street Tree Partnership. As the Amey contract is the delivery route for street tree maintenance, it is necessary to amend the contract to clarify the new requirements to Amey arising from the Sheffield Street Tree Partnership Strategy.

## **6. REASONS FOR RECOMMENDATIONS**

- 6.1 Approval of the recommendations will ensure:
- Amey is contractually bound to co-operate with the Sheffield Street Tree Partnership Strategy outcomes and the council can uphold this.
  - The Sheffield Street Tree Wardens receive health and safety training and the equipment needed to fulfil their role.
  - The council has listened to the concerns regarding the reference to 200 and 17,500 street tree removals and is amending the contract to reflect the forward-looking work of the Sheffield Street Tree Partnership
  - Appropriate species as identified in the Sheffield Street Tree Partnership Strategy are selected, based on the planting location, to maximise the potential for street trees across the city to flourish

## Climate Change Impact Assessment Summary

<b>Project/Proposal Name</b>	Streets Ahead Tree Related Contract Change	<b>Portfolio</b>	Place
<b>Decision Type</b>	Key Exec Member Decision	<b>Lead Member</b>	Joe Otten
<b>One Year Plan Area</b>	Climate Change, Economy and Development	<b>Lead Officer</b>	David Wain
<b>Date CIA Completed</b>	04/01/23	<b>CIA Author</b>	David Wain
		<b>Sign Off/Date</b>	Jessica Rick 04/01/23

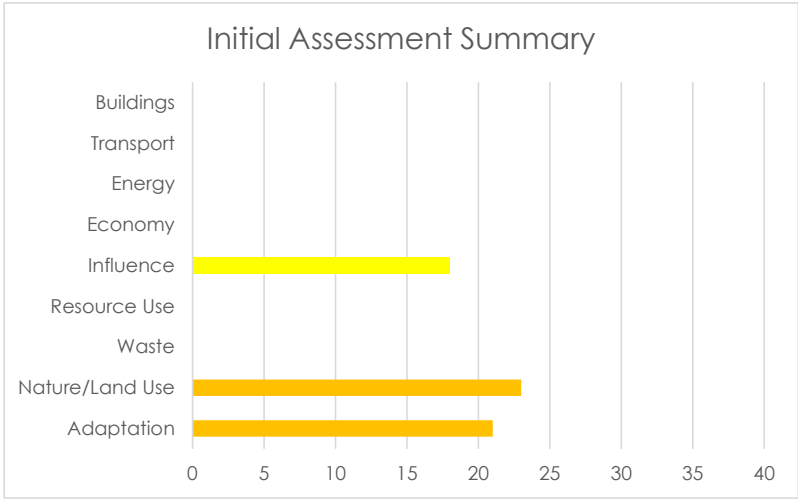
<b>Project Description and CIA Assessment Summary</b>	<p>Following changes being made to the Streets Ahead contract, the items covered in this assessment are:</p> <ul style="list-style-type: none"> <li>•Duty to cooperate with the Sheffield Street Tree Partnership Strategy</li> <li>•Provide health and safety training and any equipment required</li> <li>•Replace Highway Trees in accordance with the principles and appendices of the Sheffield Street Tree Partnership Strategy</li> <li>•Updated species list.</li> </ul> <p>The assessment considers the particular role of street trees, both in their location, function and number.</p> <p>Of note is that Street trees make up less than 1% of total tree cover in the city and have a particular purpose in terms of amenity value, mitigating urban heat effects, providing shade and cooling.</p> <p>It is important to consider the future climatic conditions street trees will be dealing with in 50-100 years time and ensure there is flexibility within the contract to plant trees that will be able to withstand future conditions. The potential negative biodiversity impacts of planting non-native trees is considered to be outweighed by the positive long term impacts of planting trees that will have the required longevity and adaptability to flourish in changing climatic conditions. This would help to maintain the particular amenity value of street trees whilst having an overall small impact on the total make up of tree cover.</p>
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<b>Rapid Assessment</b>	Does the project or proposal have an impact in the following areas? Select all those that apply. Only complete the sections you have selected here in the assessment.		
<b>Buildings and Infrastructure</b>	No	<b>Influence</b>	Yes
<b>Transport</b>	No	<b>Resource Use</b>	No
<b>Energy</b>	No	<b>Waste</b>	No
<b>Economy</b>	No	<b>Nature/Land Use</b>	Yes
		<b>Adaptation</b>	Yes

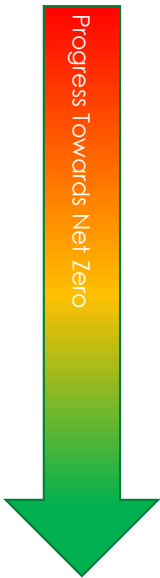
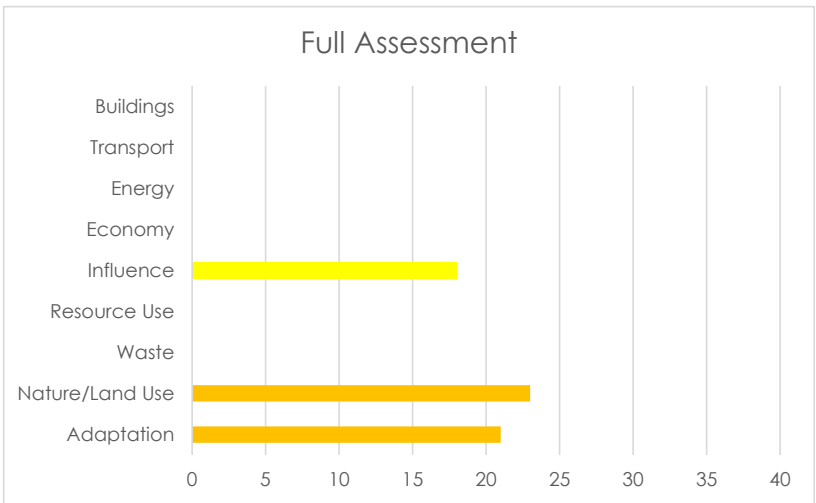
[Chesterfield Borough Council Climate Impact Assessment Tool provided inspiration for this tool.](#)



Initial Assessment Summary



Full Assessment Summary



Progress Towards Net Zero

>=27	The project will increase the amount of CO2e released compared to before.
21-26	The project will maintain similar levels of CO2e emissions compared to before.
12-20	The project will achieve a moderate decrease in CO2e emissions compared to before.
3-11	The project will acheve a significant decrease in CO2e emissions compared to before.
0-2	The project can be considered to achieve net zero CO2e emissions.

## Schedule 2 - Service Standard 6

### REQUIRED OUTCOMES

1.7 ensure that an Annual Tree Management Programme is developed, approved by the Authority and carried out with all Highway Tree (and trees forming part of Highway Tree Clusters) replacements being undertaken having regard to the requirements of the Sheffield Street Tree Partnership Strategy; and

	Service Delivery Output Element	Performance Requirement	Rectification Period	Repeat Period	Adjustment Type	Grace Period	Monitoring Methodology
6.34	Grounds Maintenance Management Strategy	The Service Provider shall have a duty to cooperate with the Sheffield Street Tree Partnership. This includes the provision of data, information and reports to support the overall aims of the Strategy and the decision-making process for individual trees as requested by the Authority in a timescale set by the Authority (acting reasonably).	N/A	1 Business Days		N/A	Inspect
6.36	Street Tree Wardens	The Service Provider shall provide two sessions per annum of health and safety training and any equipment required, as necessary and as determined by the Service Provider (acting reasonably), for each Street Tree Warden.	5 Business days	1 Business day		N/A	Inspect

6.38	Trees	The Service Provider shall replace Highway Trees in accordance with the principles and appendices of the Sheffield Street Tree Partnership Strategy unless Authority Approval has been obtained for deviation from this policy.	N/A	n/a		N/A	Inspect
6.39	Trees	The Service Provider shall ensure that each replacement or additional Highway Tree is of an appropriate level of maturity having regard to the location of the replacement or additional Highway Tree required and is of a species included in the Appropriate Species List in the Sheffield Street Tree Partnership Strategy.	30 Planting Season Days	30 Planting Season Days		N/A	Inspect