

**SHEFFIELD CITY COUNCIL**

**Strategy and Resources Policy Committee**

**Meeting held 19 June 2023**

**PRESENT:** Councillors Tom Hunt (Chair), Fran Belbin (Deputy Chair), Angela Argenzio, Dawn Dale, Douglas Johnson (Group Spokesperson), Ben Miskell, Shaffaq Mohammed (Group Spokesperson), Zahira Naz, Joe Otten, Martin Smith and Richard Williams

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**1. APOLOGIES FOR ABSENCE**

1.1 There were no apologies for absence.

**2. EXCLUSION OF THE PRESS AND PUBLIC**

2.1 No items were identified where resolutions may be moved to exclude the public and press.

**3. DECLARATIONS OF INTEREST**

3.1 There were no declarations of interest.

**4. PUBLIC QUESTIONS AND PETITIONS RELATING TO THE ISSUES TO BE DISCUSSED**

4.1 It was agreed that, in view of the volume of questions received, the time allowed for public questions be extended to one hour.

Russell Johnson attended to present the following questions that he had submitted:

1. May I express profound disappointment that my Council has once again demonstrated its lack of imagination and failure to seize the opportunity provided by the Lowcock narrative and the catalogue of expensive blunders since the Street Tree Scandal to learn lessons. This is demonstrated in the revealing statement that ‘this report recommends treating the Inquiry Report as the definitive version of the truth!’ (Para 97). Q. Does this almost Orwellian assertion mean that SCC believes that there are no more ‘truths’ to be exposed, and so expects to put Lowcock to bed as soon as possible, quash challenge and carry on much as before?

Response: The goals of the Inquiry were to support the ongoing recovery in Sheffield from the dispute and to draw conclusions and make recommendations designed to help minimise the risk of the dispute re-emerging in future. The Inquiry report delivered against both of these goals and the Council has committed, on multiple occasions, to take action to meet both the word and spirit of the recommendations. This will mean we make meaningful change to ensure a dispute of this nature can never arise again.

As Sir Mark said on to the Extraordinary General Meeting of the Council on 10 May, it is always possible to find further questions to pursue. Having invested significantly in a thorough Inquiry we have established what went wrong in the past. We now need to focus on learning the lessons and ensuring that we can manage things well in future.

As the report before this Committee sets out, we will be working with the Local Government Association, Information Commissioner's Officer and our auditors as well as liaising with the Local Government Ombudsman. This shows our commitment to openness and welcoming scrutiny. The report also gives clear deadlines reaching into the future so anyone can track our progress and hold us to account against a very comprehensive plan.

2. Sir Mark committed that all legally allowable documents that he had used in his Inquiry would be deposited in an Archive in perpetuity, in recognition of the importance of the debacle in the history of Sheffield governance.

In fact, only 130 documents (of an extraordinary 1m cited by Council sources) have been deposited post-Inquiry.

(i) Why so few?

(ii) Who selected these and on what criteria?

(iii) Why is the Street Tree Archive particularly difficult to navigate, even for those with an understanding of the subject?

(iv) Is this to be seen as accurately illustrating SCC's claimed new culture of openness and transparency? Or something else?

Response: The Sheffield street tree Inquiry was an independent Inquiry hosted by the legal firm Weightmans LLP to ensure its independence from all stakeholders, including the Council. The Inquiry report itself is the final description of what the Inquiry found and the evidence on which it made its observations and conclusions. As it was an independent Inquiry, the Council did not receive any information beyond the Inquiry report describing the ways of working of the Inquiry or its decision-making, or receive from the Inquiry materials it did not submit.

As the Inquiry report methodology in Annex B of the Inquiry report sets out, the Council provided the Inquiry with over 1 million documents. These included email inboxes, cloud storage, digital files, hard copy files, and the entire Street Tree Archive. The Council submitted these complete and unredacted. This was to ensure the Inquiry was given access to all relevant material. As a result, the vast majority of this information was found by the Inquiry not to be relevant to its work.

Based on the Inquiry report, where there is evidence not already on the Street Tree Archive it will be added within the next 16 weeks. The material generated by the Inquiry – progress reports, public hearings, the final report – are already in the archive. Guidance on navigating the Street Tree Archive is available on both the archive website and through an instructional video on the Sheffield Archives YouTube channel.

3. Having carefully read the Report to the Committee, I note a glaring omission. Namely, no stated intention to reimburse legal defence costs incurred by those citizens victimised as a result the 'unwise' (SCC, really, 'illegitimate) injunction.

- (i) Will the Leader and CEx today commit to correcting this apparent error?
- (ii) If not, please would they attempt to explain?

Response: The report commits the Council to reimbursing the Financial Court Orders arising from the injunctions – this was done during April. This action already goes beyond what was recommended by Sir Mark Lowcock in the Inquiry report. We did this so that the Council did not financially benefit from the outcome of an unwise course of action, and as a mark of fairness between those who had and had not paid those Court orders. For the avoidance of doubt, we have not reimbursed any legal costs.

We will not be seeking to go further than this as further reimbursements were not recommended by the Inquiry and the Council has not financially benefited from any individual advice residents sought.

4. Please would Cllr Hunt explain why some Elected Members in his Party who were Cabinet members during the scandal described by Sir Mark remain in the Council? One in a senior position. I ask Cllr Hunt to comment having regard to the unanimously approved Motion at the ECM recently and the imperative for sound democratic governance and accountability, even within the Labour Party.

Response: At the Extraordinary Meeting of the City Council on May 10<sup>th</sup>, we heard from Sir Mark. He offered us his view that he is sceptical of the value of relitigating things that happened in the dispute and cautioned that this is not likely to help us very much to move forward. I agree. Having identified a number of lessons from the dispute, the task now is to learn from them and to look forward. As the new Leader, I am focused on that task. I expect that all elected members, in my party and others, and all officers understand the seriousness of what happened during this dispute and commit to work together to ensure a dispute of this magnitude can never happen again.

4.2 Isabel O'Leary attended to present the following questions that she had submitted:

1. I appreciate that a lot of work has gone into the report being presented today and that the Officers involved are hoping that the Strategy and Resources committee will "rubber stamp" the report and its actions, thus declaring the response to the Lowcock Report complete. However, I have the following questions:

Will the Committee add an apology to the people of Sheffield for the public money wasted on the street tree scandal? This amounts to at least £2.12 million so far plus any money spent on Non-Disclosure Agreements. I have not included the £200,000 this Committee is being asked to approve today to action Lowcock's recommendations as these are positive actions rather than wasteful ones. I have also not included the estimated £40 million lost asset value of healthy trees

unnecessarily felled.

Response: The Council does not recognise the figure of £2.12m given in this question. There have been a lot of incorrect financial figures shared during the course of the dispute. For instance, the Inquiry clarified the misunderstanding around payments to Amey for delays due to the work of the Independent Tree Panel, making clear that these were done on a no-worse/no-better basis which means that Amey did not receive a large financial benefit for delays. Likewise, the Council does not recognise the reference to non-disclosure agreements. During any largescale programme, there will be disagreements about what constitutes a good use of money. However, during the dispute there were unarguable actions taken and opportunities missed which we now regret. Some of these may have saved the Council money had they been successful. Money may also have been saved had we changed course sooner. For this we apologise.

I want to address directly the loss of trees. In our overarching apology, we apologise for deciding 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. It is a source of regret that this valuable asset was damaged through our actions. That is why in the report we dedicate a substantial section to the management of Streets Ahead and ensuring the future success of the Sheffield Street Tree Partnership. These actions should prevent us making mistakes of this kind on ecological issues.

I hope it is very clear from our apology that we recognise that we got so much of the handling of the dispute wrong and that we apologise unreservedly.

2. The report being considered today suggests actions to improve future standards of governance. Will the Committee today agree that there is a need for accountability to be demonstrated now and in the future? One action would be to demonstrate this by reiterating the Amendment passed at the ECM on 10.5.23. As a reminder, this said that the Council “Believes that for individuals who were council cabinet members in the civic years 2015/16 to 2017/18, resignation from public office would be an appropriate indication of acceptance of responsibility for harms caused”.

Response: 6 weeks ago in this Chamber, we heard from Sir Mark at the Extraordinary Meeting of the City Council. His words are worth repeating. He offered us his view that he is sceptical of the value of relitigating things that happened in the dispute and cautioned that this is not likely to help us very much as we move forward. As I mentioned earlier, I agree. Having identified a number of lessons from the dispute, the task now is to learn from them, implement actions to embed that learning and to look forward. Today’s report is an opportunity to come together to do that.

I do not believe that it serves our aim of seeking reconciliation by looking back. The path to the events described in Sir Mark’s report was years, if not decades, in the making. As such, if you were so inclined, it would be possible to look much further back than 2015 and apportion blame to members and officers for harms that were later caused. A focus of the Lowcock Report and the actions we are

discussing today is to support reconciliation and to help the city recover from the dispute. We do so with a clear-eyed focus on what went wrong, and a determination never to let it happen again.

On the question of accountability, the report we will shortly consider sets out 36 actions (and their accountability and monitoring arrangements) to implement the recommendations of the Inquiry. These are set out within this report and summarised in Annex A. This Committee, this Council will be accountable for ensuring that those recommendations are met.

3. The Report being considered today asks for funding to be allocated to improve the management of contracts and Council Services. This report recommends a reduction in silo thinking and an increase in cross departmental working. It also mentions the need for biodiversity and ecological impact to be considered across all decision making. Will this Committee therefore consider allocating funds to strengthen the Council's Ecology Unit to allow in-house professional ecological advice to be sought for decisions taken by the Council across many areas? A strengthened in-house team will have an overview of the potential impact of decisions in one area on another and facilitate more joined up thinking.

Response: The Council is committed to ensuring we have the right resource in the right place at the right time. As part of our usual business planning processes, we will look carefully at the needs of every service in the Council, including the Council's Ecology Unit, and make decisions about the right level of investment to ensure our interests can be managed, within the tight fiscal envelope we face.

- 4.3 Calvin Payne attended to present the following question that he had submitted: Do the council consider the resources allocated for "mitigating the ongoing impact" on those convicted under the injunction to be commensurate with the sums spent on pursuing the same campaigners in 2017/18?

Response: Firstly, thank you for coming to this Committee having spoken about the challenges you face as a result of being convicted under the injunction at the EGM in May. The resources allocated in the report intend to support the Council to work with the small number of people affected and do everything possible to mitigate any ongoing impact. We cannot say what the final cost of doing so will be at this point as it will be dependent upon individual circumstances.

The report has estimated a budget to support this work. If it is found not to be sufficient, I will ask the legal team to bring further advice to this committee on what else is needed.

- 4.4 Jon Johnson attended to present the following questions that he had submitted: With regard to the Report before you today, you have a fantastic opportunity to address Sir Mark's recommendation No. 8 (sustain the emphasis (SCC) has recently placed on partnership, local engagement & consultation and consider what more it needs to do to ensure that a culture conducive to that is fully embedded.)

Throughout the ECM, AGM and in this report we have seen and heard the words

'openness, honesty and transparency' repeated again and again, and that is welcome. In order to implement those aims, to move away from the 'bunker mentality' and fulfil Art. 1.03 of the Council's Constitution, you now have a chance to build on the avowed success of the Street Tree Partnership and embrace collaborative working with informed, eager, constructive and positive members of the Sheffield public to help ensure that Recommendation b) of today's report can be seen through to its conclusion in 2025. Not only does this offer come at no cost to the Council, it can add hugely to the process of rebuilding trust, contribute ideas, be a sounding board for proposals and potentially save further costly mistakes.

Therefore my question is; Will the Council, through this Committee, accept an offer of help in navigating the momentous and potentially beneficial changes sought by today's report from a group of volunteer citizens who share your belief that 'Together we get things done' and who 'Always believe we can do better'?

Response: We want to work with the people of Sheffield and build in the culture of engagement into everything we do. The Council's approach to engagement, as you and others have pointed out and the report acknowledges, is inconsistent, with pockets of good practice. Where big organisations like Council's have issues with engagement, the problem isn't only setting up the right forums, boards or consultation functions. The issues tend to run deeper than that and be about the organisation's culture, climate and capacity. In other words, having a clear vision about what kind of engagement is appropriate where, and the time and skills to do it right.

Acknowledging that the Council is not there on all these factors yet, led us to the recommended actions at paragraph 90b which commit the Council to develop plans to embed a climate of engagement throughout the organisation.

The report before us today challenges the Council to think strategically about what is needed where, and how we create the time and build the culture and staff skills to do it. I understand the desire to establish a new group and we are grateful for the suggestion, however we will not be taking it up. The work that is needed now is to ensure that a culture of engagement with is built into everything we do.

In many organisations in the city we have incredible examples of coproduction and citizen engagement and we want to make sure we learn from them. We know that there are also people who we do not reach and listen to enough and we want to make sure that we do reach them, including through further developing the committee system.

It is also worth mentioning the very challenging financial position the Council is in and the impact this has had on constraining the ability to invest in people, development and capability. However, engagement is a real priority. I welcome support and challenge from all residents across Sheffield. I am going to encourage us, as a Council, to have the challenging conversations that mean that we ensure all residents get the input into the decisions that affect them across all Council services. Doing that will be a systematic process which we cannot short cut by endorsing any one group. I look forward to receiving feedback, ideas and proposals from informed citizens as our work progresses.

4.5 Justin Buxton attended to present the following questions that he had submitted:

1. Did the Council contravene its own data management policy in not retaining documents:

- a. Requested by The Bevan Brittan investigation?
- b. Requested by The Forestry Commission's investigation?
- c. A senior officer deleting emails from their account on leaving the council?

Response: The Inquiry report makes clear that while the Council faced some challenges in producing all the documentation asked for quickly, it did find and supply everything the Inquiry need – this is covered in Annex B of the Inquiry's report. Supplying this information included going back through hard copy and archived files, and reconstructing inboxes. The council did not breach policy or practice in document retention. However, the council accepts that there were failures in record retrieval and record keeping.

The Bevan Brittan investigation was an independent evaluation of how the council has applied the exemption for legal professional privilege in its Freedom of Information and Environmental Information Regulations responses. Bevan Brittan sampled 17 requests but received information relating to only six requests. Information regarding the other eleven requests was held but not provided at the time. This was due to staff working remotely during the height of the pandemic and being unfamiliar with the files when collating the information for the investigation. All eleven files have since been offered to the Information Commissioner should he wish to review our decision-making.

The findings of the Forestry Commission in July 2018 were in relation to its record keeping and access to information. The Forestry Commission were concerned that they had to submit requests under the Environmental Information Regulations 2004 for information for their investigation to the council. The council regrets that a statutory body should have had to use 'right to know' legislation to obtain information it was legally entitled to.

We only keep inboxes for 30 days after a member of staff has left unless there are reasons to keep it longer. Where an inbox was not retained, the Council's IT department were able to retrieve and reconstruct the inbox. We are not aware of any officer intentionally destroying emails before they left the organisation. Emails are only a channel of communication between officers, partners, and the general public. Records of decisions or important business activity are downloaded or saved to the shared network.

2. Please could the Council confirm:

a. The insistence that service standard 6.38 of the Streets ahead contract to replace 17,500 could not be renegotiated was dishonest?

b. When the service standard 6.38 was renegotiated to remove the contractual obligation for replacement of 17,500 trees whether healthy or not was removed from the Streets ahead contract and whether this had a financial cost to the Council?

c. Further to removal of the 17,500 contract obligation has financial readjustment been made in favour of the Council?

Response: In the report we have before us today is the Council's draft apology to the residents of Sheffield, and beyond. That apology says that we agree that the Council misinterpreted data leading to wrongly including in the contract the aim to replace 50% of Sheffield's street trees and apologises for developing and adopting a flawed plan and including that aim.

As the Inquiry notes, the Council had negotiating power and could have looked to vary the contract to start to resolve the dispute. The apology acknowledges that instead, the Council chose to escalate. As the Inquiry concluded, this was part of a failure of strategic leadership for which we are all very sorry.

The change to the contract which included amendments to Performance Requirement 6.38 was finalised and entered into on 1 November 2022. The purpose of the change was to align to the principles of the Street Tree Partnership Strategy, to ensure cooperation with that strategy and in doing so achieve the aim of retaining 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. The only cost the Council has incurred as a result of this change are associated with its own internal resourcing such as staff involved in the contract management and legal support.

The variation of the contract last year to embed the Street Tree Partnership approach incorporated a number of changes to the Performance Requirements. Full details of these changes can be found on our democratic services website under the decision details for the Street Tree Service Outcomes Amends for which I will make sure you are sent a direct link.

(See: <https://democracy.sheffield.gov.uk/ieDecisionDetails.aspx?ID=3384>). The changes require Amey to align their contract outputs with the outcomes of the Strategy but they weren't considered a material change to the Performance Requirements of the contractor. As a result there was no "financial readjustments" in favour of, or against, the Council.

3. Please could the Council confirm that the pursuance of the street tree felling programme in Sheffield and associated legal actions was a policy decision and not necessary to carry out statutory duties.

Response: The Council has a statutory duty to maintain the highway and this was covered comprehensively in the Judicial Review proceedings and can encompass replacing street trees. The Streets Ahead contract included the provision of the street tree replacement programme. Amey worked, with the Council, to fulfil these contractual obligations. It would not be accurate to describe the street tree replacement programme as either wholly policy or wholly necessary to carry out those statutory duties., but in the apology we have before us today, we acknowledge that when the consequences of a flawed plan began to become clear,



the Council chose to escalate rather than pause, negotiate and change.

Since the dispute, we have made many changes, including to the tree replacement programme of the Streets Ahead contract. These help prevent issues arising again.

4.6 Martin Pickles (on behalf of Richard Ward, STAG) attended to present the following question that Mr Ward had submitted:

The conclusions of recommendations of the Lowcock report published on 6th March had seismic implications for the way that politics was conducted in the city of Sheffield. The Inquiry's report highlighted profound problems in the governance arrangements of the city council and in the chosen approach to engagement with the public. That approach was characterised by a confrontational and malicious approach to challenge; a clear and consistent political choice.

The Lowcock Report vindicated the sacrifices of many Sheffielders who chose to oppose a deeply flawed plan for the management of the cities street trees. Beyond the trees, it is important to be able to see the heartwood of problems in the way that the City's governance failed citizens. There were clear systemic problems and failures in Council governance, culture, and strategic leadership. There is therefore an undoubtedly broad benefit to be gained from getting the response to the Inquiry right.

It is vital that any action plan arising from consideration of the Lowcock conclusions and recommendations, and their acceptance in full, demonstrates insight on the democratic deficit which must be accountably addressed by City politicians. There must be broad oversight of such arrangements through thorough stakeholder engagement. Effective monitoring of change processes and outcomes is essential. STAG remains willing to participate in such monitoring and to bring constructive challenges to bear when and as required.

Some city councillors have had the temerity to remain in post despite their deep complicity in bringing the city into disrepute. Their actions, including their boycott of the 10th May Council ECM, sit badly with their victims and with any objective assessment of the pathway to reconciliation. Councillors of all parties need to consider the roles played by past Cabinet members and the resolutions agreed at the 10th May ECM.

The broad thrust of the paper before the Strategy and Resources Policy Committee provides sufficient constructive direction and impetus to begin the journey towards a meaningful and enduring reconciliation. There are matters of detail which must though be amplified.

We would like to re-emphasise our strong belief that the Council has a powerful moral obligation to assist individuals impacted by convictions and cautions applied during the dispute as a direct consequence of protest actions against the Council's demonstrably unethical, inappropriate, intimidatory, disproportionate and often aggressively premised actions. Consequently, it remains our view that it is morally unacceptable for there to have been no consequences for senior officers and Cabinet members whose, at best questionable, actions (or inactions) are now well documented. Their abuse of power and failure of strategic leadership brought the

Council's reputation into significant disrepute and wilfully sought to blight the lives of protestors. The victims of that 'corporate malice' should not be abandoned.

It is important to consider whether, especially given the change of many leadership roles in the Council, the current postholders fully understand why things went so badly wrong during the street tree dispute. STAG remains concerned however, that if the Council does not understand how these mistakes were made, it will be hard to avoid repeating them in future. This is particularly important in view of the considerable amounts of time and money involved by not only SCC, but also Amey and South Yorkshire Police in pursuit of propping up a flawed plan. Whether monies come to the Council directly, or from central government, ultimately it comes from the wallets of ordinary people and we require you all to spend this wisely. An apology is undoubtedly owed, but not explicitly mentioned in the paper, to the Sheffield public for the money wasted by the Council and the squandered opportunity costs arising from dogged and blinkered pursuit of its flawed plans.

The paper acknowledges the inherent complexities of delivering apologies of the right kind to the many who deserve to have harms to them acknowledged. Those harms take many forms, including , physical, emotional and financial. The formulation of meaningful apologies will require great care to ensure that the council can demonstrate that it knows what it is apologising for.

In relation to the above point, a significant outstanding issue which should be brought within the scope of the response paper is the mishandling of complaints against the Council during the dispute. Inaction on those complaints is indefensible. Lowcock was clear that the Inquiry should not be used as an excuse to set aside due process. STAG strongly supports the view that mishandled 'historical' complaints should be revisited in a proper, rigorous, and accountable fashion in the light of now available evidence. This will allow the Council to show it is serious about applying its currently agreed complaints procedures and will allow some of those 'harmed' to be properly heard.

It is easy to talk of lessons learnt. Organisational learning and change on the scale necessitated by a meaningful Inquiry response will be a great accomplishment. Credible understanding will not fall into place overnight. The corporate insight demonstrated in learning from the past and moving ahead must ensure a Council more open to public engagement, accountable and fitter for purpose in the eyes of the wider public.

In considering this paper is the Committee satisfied that the recommendations before it can achieve that end?

Response: I am very grateful for the ongoing support and challenge that STAG offers the Council. You have spoken very clearly about your hopes and aspirations for the success of the actions within the report before us today. I believe that following this Committee's consideration, these actions will mean that we continue to build on the recovery from the dispute.

I am under no illusions of the task at hand but I am confident that the report before us gives us the framework to achieve the goals that you set in your statement, and

I, this committee, and others, will work to ensure that happens.

- 4.7 Helen McIlroy (on behalf of Ruth Hubbard) attended to present the following questions that Ruth Hubbard had submitted:

My questions largely relate to pages 34-40 of the Report on “wider council issues”.

1. There is a big gap in the report presented today in respect of the cultural change needed within the political groups of the council.

What have each of the political groups in the council identified as the problematic aspects of their own party group political cultures, and how are they addressing these?

My question is directed at all party groups. Obviously this is a particularly important question for Sheffield Labour given their dominance on the council and the Lowcock findings. And, despite the recent changes in personnel which they might wish to cite, these were not brought about by them taking responsibility and acting accordingly - and 'political cultures' go beyond individuals involved. It is also a particularly pertinent question for Sheffield Labour as at least one of their number has made it repeatedly clear in the press that they do not accept Lowcock, and members of the public wishing to raise Lowcock at a Local Area Committee were shut down by local Labour councillors. They have just fought a local election where their focus has been entirely on gaining overall control (which would always have involved a mandate from an extreme minority of voters even if it had been achieved), and on not discussing Lowcock. One of their party grandees David Blunkett has also intervened unhelpfully several times. All this does not indicate a political culture that is changing nor one that has, even yet, understood the problems.

The question, however is also addressed at the other main party groupings in the council as they have also been caught up in, and part of, the long-term political culture of our council. I note that, even with no overall control, they failed to show the will, and to secure basic accountability, for long-term wrongdoing. They seem to largely accept a status quo political culture that focuses on narrow party interests at all times, or that might be happy to accept the crumbs from the Labour table.

So my question again, what have each of the main political party groups in the council recognised from Lowcock and identified as the problematic aspects of their own party group political cultures, and how are they addressing these?

Response: I can only speak for the group that I lead but I am sure that my cross-party colleagues will be glad to respond to your question in their remarks later in the meeting.

As the new Leader of the Council and of Sheffield Labour Group, let me clear that I fully accept all of Sir Mark's conclusions and recommendations, as does my party and the group I lead. On March 8th, Sheffield Labour issued a statement to wholeheartedly apologise for the failures and mistakes made by our previous administration. I repeat that apology today. There have been important and

avoidable mistakes, mistakes I and my colleagues are determined to put right.

The work to rebuild trust will take time. It will require a spirit of partnership, consensus and openness and that is a shared responsibility of all members. Today's report is an important step on the long journey. As the Leader of the Council, I expect all elected members, in my party and others, and all officers to understand the seriousness of what happened during this dispute and commit to work together to ensure a dispute of this magnitude can never happen again.

2. Five years ago next week I had the pleasure and privilege of announcing at a press conference the end of strong leader governance in Sheffield through what would become the largest citizen-led action of its kind ever mounted.

I am pleased paragraph 85 of the report at council today acknowledges that so far there has been a focus on what it calls the "logistical and practical steps" to change its governance system. It says this was done by necessity but in my view it is a good example of how the council consistently puts its own needs first within a narrow and insular frame of reference. The approach was always, in my opinion, misconceived and fundamentally flawed, and whilst technical change has been delivered, meaningful change and demonstrating any democratic value for citizens still remains. The recent governance review took the same narrow approach and so failed to do what it said it was going to do, as agreed by full council. It also failed to use any of its own toolkit to develop the review, failed to engage citizens and stakeholders in carrying out the review and, fundamentally, failed to establish any sort of outcomes, benchmarks or performance measures by which it could make any claim to progress.

So governance problems are very long established by many. My major concern about the Report today is that, on the wider governance priority confirmed by Lowcock, there is little evidence of progress, despite activity. In the report today, it continues to appear clear purpose is simply being replaced with yet more activity. Layer upon layer of complexity to existing activity is being added, by new bodies being established, for example, with yet more (mere) activity to undertake. This is all happening in the absence of any clear and agreed outcomes, any clear or specific idea of what the council is trying to achieve with this activity and for what purpose, and any measures by which progress towards any outcomes will be measured. I like values and think they are important but it is way way past time to move beyond these, and they are simply reinforcing the huge gaps between the rhetoric and the realities of council governance. This begins to look like a failure of leadership, or a continuing resistance to change, or just an inability to see the wood for the trees, although I am sure this is not the impression that the council would want to give.

When and how will clear, specific and meaningful outcomes for governance change be developed, including those that will deliver 'democratic value' and that have been ignored for so long, not just outcomes that serve the insular needs of the council itself?

Response: The Council is clear that although we have made progress in establishing our new governance arrangements there still exists a significant road to

travel to meet our aspirations of being a genuinely open and transparent organisation, and one that puts citizen voice and participation at the heart of what it does and how it does it.

The evidence is clear that involving people in shaping the solutions to issues that affect their lives results in better and more equitable decisions being made. However, although engagement in the formal decision-making process is important, to be truly meaningful involvement and participation must come at a much earlier stage of policy development and design.

The council's Governance Committee, in their report to Full Council identified public engagement as one of the areas that they want to focus on over the year ahead. As the question identifies, the engagement toolkit adopted at the inception of the committee system is not yet embedded across the committees in the way that we would like it to be. There have been examples of good and developing practice in the organisation over the last twelve months, including but not limited to activity in Local area committees. However, it is not yet consistent or embedded.

To address this, both through the work of the Governance Committee and the council's Future Sheffield transformation programme, we will seek to make engagement, involvement and participation more central to our work. The council's Corporate Plan will set clear outcomes and ambitions for the authority's work against which we (and the public) will be able to hold ourselves accountable for delivery.

3. At paragraph 96 the report to Council states it has provided the Lowcock Report to its auditors and spoken to them about calls for a Public Interest Report. Specifically:

a) Has the council drawn the auditors attention to any items relating to the possible misuse of public funds over the years of the street tree crisis, and similar items emerging since the publication of Lowcock eg in respect of monies spent seeking to pressure the police to take more extreme action against protestors?

b) How did the council represent public calls for a Public Interest Report to its auditors - I am part of one group who has publicly stated the potential need for a Public Interest Report. We have not been asked for any more information as to our reasoning, so what has the council told its auditors about the public interest here?

c) The public have a statutory right to inspect council accounts and raise challenges with the auditors direct. What is the timeline for the council to publish, as required, the opportunity for members of the public to inspect the latest council accounts, so that there can be any direct follow-through with the auditors?

Response: In respect of (a) and (b), as the report sets out, we have spoken to our auditors. This was in the context of the publication of the Inquiry report and the calls by yourself and others for a public interest report. The consideration of whether there needs to be a public interest report is a matter for the auditor but if they want to understand the views of those who have suggested it, we will provide them with contact details. The auditors have a statutory right of inspection and the Council

fully engages with that process. We have ensured they have the Inquiry's report and they can take up any line of enquiry on spending that they think appropriate.

In respect of (c), the Council published its unaudited accounts for the 2022/2023 financial year on 31 May 2023. The period for local electors to exercise any rights ends on the 12 July 2023.

4. In recent weeks and months a group of citizens and stakeholders have informally been discussing setting up a citizen-led scrutiny body for the council, given the shortcomings in current council approaches and failure to integrate and engage citizens in decision-making and governance. We have been talking under the name Sheffield Oversight and Scrutiny - SOS - to reflect the urgency and seriousness of the issues. I also understand there are others who are discussing the need for similar kinds of activities.

What encouragement and support would the council like to offer in respect of developing this important work?

Response: As I acknowledged when addressing Jon Johnson's question (See 4.4), I welcome support and challenge from all residents across Sheffield.

I am going to encourage us, as a Council, to have the challenging conversations that mean that we ensure all residents get the input into the decisions that affect them across all Council services, doing that will be a systematic process which we cannot short cut by endorsing any one group.

- 4.8 Beniot Compin indicated that he had not received a response to the question that he had submitted previously. The Leader stated that he would be happy to meet and discuss the matter.

## **5. LEARNING FROM THE PAST AND MOVING AHEAD: RESPONSE TO THE SHEFFIELD STREET TREE INQUIRY**

- 5.1 The Chief Executive submitted a report asking Strategy and Resources Committee to agree a suite of actions and a budget to respond to 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.

The Leader of the Council, the Leader of the Liberal Democrats Group and the Leader of the Green Party group made statements on the matter.

The Leader of the Council stated that, the dispute that is definitively detailed in Sir Mark Lowcock's report was a dark episode in Sheffield.

Much has already changed in the Council in the five years since 2018 when a new approach was taken – but there is still much to do to learn the lessons of that period. The report before us demonstrates that. The 36 actions in this report directly address the recommendations and lessons set out by the Inquiry report. They are accompanied by a plan so that we can monitor progress to meet them and so that the public can hold us accountable for meeting them.

One of the recommendations that Sir Mark made was for the Council to issue a comprehensive and fulsome apology for the things we got wrong during the dispute. A draft apology is included in the report and as the Chief Executive has explained, subject to the agreement of this committee, it will be published tomorrow and made permanently available on the Council's website.

I want to take this opportunity to state clearly and unreservedly that we are sorry for the actions that we took during the street trees dispute.

The Council's behaviours led to significant harms being caused and they meant that people lost trust and faith in us. We hope that this apology and our actions will begin the process of restoring trust and faith. But we know that apologies with action are meaningless. Words matter but words alone are not enough.

It is only by changing the way that we work that lasting and sustained change will occur. Change that will mean a dispute of this magnitude with our residents can never happen again. To achieve that change, we will - and are - placing people at the heart of what we do.

The Council that we want to be is one that looks outwards, invites scrutiny and works in partnership with the people of Sheffield. A Council that listens, consults and is open to feedback, ideas and suggestions. A Council that creates a culture where engagement is built in to everything we do.

I know that the actions of the past mean some people may be sceptical that our words today will change things in the future. I understand that entirely. It is a significant task to rebuild trust, to change the culture of this organization and to move forward together. As the new Leader, I can assure you that my colleagues and I, both members and officers, are committed to making these changes.

We will work with the residents of Sheffield to 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.

The Leader of the Liberal Democrats Group stated that this was an issue that he

was very close to, having stood alongside and supported many of the speakers here today. I was dismayed at the actions being taken by officers and Members at the time of the dispute. The challenge now is to put the words and statements into action, which is what we will now be judged on. In particular, how the officer and Member culture changes.

Anybody Member involved from 2015 should consider if they should be part of that future. This episode was a very divisive issue for the city which cannot happen again. In future we must work in a unified way for the whole city.

A key takeaway from this is that the centre of the Council must let go, do less and trust others to take decisions. This should include our Member colleagues and communities. We need to empower local communities by letting local people make local choices.

We must have review points to monitor progress on the journey of change. A true test of how much we have changed will be if any political group was to have a majority on the Council.

The Leader of the Green Group stated this is an issue that has been affecting the residents of Sheffield for a very long time now and that his party had been heavily involved throughout. I welcome the Lowcock report, the Council's response presented today and the detailed apology to the citizens of Sheffield. I reflect on the council's handling of the issue, and the knowledge the Council had of the real harm caused to so many people of the city from the loss of these magnificent trees.

Residents expressed their concerns eloquently and in detail at an early stage of the tree felling campaign. The Lowcock report agrees that those expressions should have been headed, along with many other voices expressing concerns at that time. In 2021, when the inquiry was set up it was in the context of the Council having already dramatically changed. In 2021 the people of Sheffield resoundingly voted for change in the way that council was governed and in May 2021 the ruling group lost its overall majority control of the council. The Council found itself in a new situation where the parties had to work together. The Lowcock report has exposed truths that are uncomfortable to a lot of people but they're also absolutely the vital issues that demonstrated how the council got so many things so wrong for so long.

In the two years since then, compared with where we were 15 years ago, the Council has changed incomparably. Recently we have had a near total change to the senior leadership of the council, both at political and officer level. This has triggered a very welcome change in culture, which is important for all of us, in the way that we behave in this council. That's not to say that things are perfect and or that things are even acceptable in every case. There's a lot more to do as we've seen in the report. However, the progress made leading up to today's apology has reset the trajectory of the council's future and that's something that the residents of Sheffield, who became involved in campaigns over many years should be able to take credit for.



The meeting then proceeded to detailed questions, comments and debate on the report presented.

**5.2 RESOLVED UNANIMOUSLY:** That Strategy and Resources Policy Committee:-

(a) agrees 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) agrees 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;

(c) notes the apologies from Amey and Sheffield Tree Action Groups (STAG);

(d) endorses the bespoke approach to supporting those who were found in breach of the injunctions and ordered by the Court to pay costs;

(e) agrees that there should not be a dispute related compensation scheme;

(f) agrees that improving the standard of roads outstanding from 2018 is a priority for the Council;

(g) notes 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; and

(h) notes 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.

**5.3 Reasons for Decision**

5.3.1 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.

**5.4 Alternatives Considered and Rejected**

5.4.1 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.

5.4.2 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.