

SHEFFIELD CITY COUNCIL

COUNCIL MEETING – 7TH DECEMBER, 2016

List of Amendments received by the Chief Executive

ITEM OF BUSINESS NO.7 – NOTICE OF MOTION GIVEN BY COUNCILLOR SHAFFAQ MOHAMMED

1. Amendment to be moved by Councillor Bryan Lodge, seconded by Councillor Tony Downing

That the Motion now submitted be amended by the deletion of all the words after the words “That this Council” and the addition of the following words:-

- (a) reiterates the apology that has been made for the way in which the work to replace trees on Rustlings Road was carried out, and recognises that the Council has apologised for the mistakes that were made;
- (b) believes it was right for the Council to apologise for the disruption and distress caused by knocking on people’s doors at 5am and the decision not to publish the Independent Tree Panel (ITP) report in advance;
- (c) welcomes that the apology included specific commitments that the Council will publish the Independent Tree Panel reports in a timely manner, with full and transparent information about how decisions have been reached, and the assurances that no work will begin before 7am;
- (d) fully supports the right of campaigners to continue to peacefully protest and, at the same time, believes that peaceful protests should not put the safety of the workforce who are doing their job, or the public, at risk;
- (e) continues to support the Streets Ahead Project, which is the biggest investment in Sheffield’s highway network that the city has ever seen, which was originally funded by the previous Labour Government;
- (f) recalls that plans to replace highway trees as part of the project were drawn up by Liberal Democrat Councillors when they were in control of the Council in a 2008 Cabinet Report detailing the scope of services to be included in the project and in a 2009 specification document drawn up for potential bidders for the contract, which included a forward from the then Leader of the Council, Councillor Paul Scriven;

- (g) continues to agree with the proposals put forward in the October 2008 and April 2009 documents relating to highway trees, the April 2009 document stating that “A significant improvement in the standard of tree maintenance will be required, with large numbers of over-mature trees being replaced by more appropriate species, and others pruned, crowned or otherwise maintained in a safe condition. The Authority will require the overall number of highway trees across the City to be sustained at current levels and the highway tree stock returned to a more balanced age-profile during the course of the Project”;
- (h) confirms that since the Streets Ahead Project started, more highway trees have been replanted in the city than removed, and the purpose of this work is as stated in the Tree Management Strategy to “ensure the street tree population is maintained and improved throughout the contract term to create a legacy of a healthy, diverse tree stock in terms of age, profile and species, reducing the risk of monocultures, whilst ensuring the safety of the highway user and adjacent properties”;
- (i) further confirms the following from the 2012-2017 Tree Management Strategy “The removal of street trees will only be considered as a last resort where there are no other reasonably practicable management options available to ensure safety or prevent damage to surrounding structures. Removals will only be specified by suitably qualified and experienced surveyors and, where necessary, additional decay detection equipment will be used to confirm any recommendations. All trees removed will be replaced on a one for one basis the following planting season (November to March)”;
- (j) recognises that proposals around the replacement of trees on a number of streets have raised further issues because of their status as World War I memorial trees;
- (k) notes that one of these streets is Western Road, where the consultation closes on 9th December, and that Councillors Craig Gamble Pugh and Anne Murphy have been consulting with their constituents on this road to raise awareness about the surveys; and
- (l) commits to engaging with stakeholders such as the Sheffield Community Covenant and War Memorials Trust when considering the Council’s response to advice from the Independent Tree Panel, if and when the residents of Western Road decide to ask the ITP to re-examine the proposals, and commits to respond in an open and transparent way, carefully taking the ITP’s advice into account.

2 Amendment to be moved by Councillor Joe Otten, seconded by Councillor Penny Baker

That the Motion now submitted be amended by the addition of new paragraphs (k) to (t) as follows:-

- (k) reaffirms the belief that what happened on the morning of 17th November on Rustlings Road was not an acceptable way for a city council to treat members of the public;
- (l) notes the ongoing conflicting statements about the events that took place on Rustlings Road on 17th November, from both Sheffield City Council and South Yorkshire Police;
- (m) notes the “Sheffield City Highways Tree Survey 2006-2007” carried out by Elliot Consultancy for Sheffield City Council, in which it recommends only 1000 trees need to be felled;
- (n) notes the foreword to the “Sheffield Highway Maintenance PFI Project Descriptive Document April 2009” from Councillor Paul Scriven, former Leader of the Council, which states only over-mature trees would be felled and replaced;
- (o) still believes that the Streets Ahead project is, on the whole, a good thing for Sheffield, once branded ‘pothole city’, but the problems surrounding the trees in particular are to do with the current Administration’s implementation of the contract and operational matters such as the “6Ds” policy;
- (p) believes the Administration is not being open and transparent with regards to the contents of the Amey contract and costings for alternative engineering solutions for tree retentions;
- (q) calls on the Administration to review its policy on highway trees so that it takes into account the full value of their contribution to air quality, quality of life and the quality of the natural environment, and the democratic will that they be retained in much larger numbers;
- (r) calls for the immediate publication of all parts of the Streets Ahead contract that relate to tree felling, to allow full public scrutiny of the contract;
- (s) calls for an enquiry by the Overview and Scrutiny Management Committee, which will be open and held in public, to look specifically at:-
 - (i) all operational matters with regards to felling of trees; and

- (ii) the events, decisions and operational matters specifically related to the felling of the trees on Rustlings Road -

with a view to producing a series of recommendations and steps to ensure nothing of the nature of the Rustlings Road incident ever happens in Sheffield again; and

- (t) calls on Councillors Julie Dore and Bryan Lodge to take responsibility for the events of 17th November and to step down as Leader and Cabinet Member for Environment, respectively.

3. Amendment to be moved by Councillor Robert Murphy, seconded by Councillor Alison Teal

That the Motion now submitted be amended by the addition of new paragraphs (k) and (l) as follows:-

- (k) apologises for the alarm and distress to local residents on Rustlings Road for the action of the Council and its partners on Thursday 17 November 2016, and believes these actions did not have the support of the Members of the Council; and
- (l) resolves that this Council has no confidence in the leadership of the current Administration on this issue.

ITEM OF BUSINESS NO.8 – NOTICE OF MOTION GIVEN BY COUNCILLOR BEN MISKELL

4. Amendment to be moved by Councillor Andrew Sangar, seconded by Councillor Ian Auckland

That the Motion now submitted be amended by the relettering of paragraphs (d) to (g) as new paragraphs (f) to (i) and the addition of new paragraphs (d) and (e) as follows:-

- (d) believes this is a direct consequence of the Gambling Act 2005, introduced by the last Labour Government, which removed the need for operators to prove unmet demand;
- (e) notes the comments of Tom Watson MP, Deputy Leader of the Labour Party, who stated the Labour Party 'dropped the ball' over the 2005 Gambling Act;

ITEM OF BUSINESS NO.10 – NOTICE OF MOTION GIVEN BY COUNCILLOR PAUL SCRIVEN

5. Amendment to be moved by Councillor Cate McDonald, seconded by Councillor Anne Murphy

That the Motion now submitted be amended by the deletion of all the words after the words “That this Council” and the addition of the following words:-

- (a) is appalled that at a time when the NHS is facing the biggest financial squeeze in its history, when waiting lists are at four million, and when Accident & Emergency Units are in crisis, the Autumn Statement contained not a single penny of extra investment for social care and the NHS;
- (b) regrets that instead of putting extra investment into the NHS and social care to address the financial crisis it faces, the Government are attempting to force through cuts to the NHS through Sustainability and Transformation Plans (STPs);
- (c) notes that the South Yorkshire and Bassetlaw STP was published on Friday 11th November 2016 by the NHS;
- (d) recognises that the NHS should always be striving to improve services, however, believes that the way that Sustainability and Transformation Plans have been developed has led to them becoming a mechanism for implementing the Five Year Forward View, which includes £22 billion of efficiency savings or cuts;
- (e) believes that the STP process has lacked transparency and should have been conducted in a more transparent manner with a broad conversation with the public about the challenges facing the NHS and how to tackle them; and
- (f) resolves to continue to oppose the Government’s cuts to NHS and local government funding, which are already leading to a crisis for adult social care, and to make the case for the extra investment that is desperately needed for these vital public services and resist further cuts to the NHS and social care on the back of STPs.

ITEM OF BUSINESS NO.12 – NOTICE OF MOTION GIVEN BY COUNCILLOR CATE MCDONALD

6. Amendment to be moved by Councillor Paul Scriven, seconded by Councillor Richard Shaw

That the Motion now submitted be amended by the addition of new paragraphs (g) and (h) as follows:-

- (g) believes that it is rank hypocrisy for the Administration to state “the STP process has lacked transparency and should have been conducted in a more transparent manner with a broad conversation with the public about the challenges facing the NHS and how to tackle them”, when Council officials have been part of the process from the beginning and the Administration could have taken active steps to become involved in the process and published the deal or invited public participation; and
- (h) notes the actions of the Leader of Sutton Council who published the NHS' STP in full on the Sutton Council website back in October.

7. Amendment to be moved by Councillor Douglas Johnson, seconded by Councillor Magid Magid

That the Motion now submitted be amended by:-

- 1. the addition, in paragraph (d), after the words “the NHS should always be striving to improve services”, of the words “and welcomes the focus in the STP on investment in prevention, mental health and primary and community care”; and
- 2. the addition of new paragraphs (g) to (k) as follows:-
 - (g) notes that £107m of the proposed £571m of cuts across South Yorkshire and Bassetlaw relate directly to local authority functions of social care and public health;
 - (h) believes that the detailed financial plans (to be drawn up in early 2017) should include a clear commitment to shift funds into social care;
 - (i) believes that the Council should have a role to play in scrutinising and deciding whether to endorse the STP;
 - (j) believes that neither the South Yorkshire and Bassetlaw plan, nor the Sheffield plan, at present, put forward credible proposals to invest in new preventative work at the same time as achieving the huge spending cuts in the proposed timescale; and
 - (k) therefore calls on the relevant Cabinet Member to demonstrate opposition to these spending cuts by not approving the South Yorkshire and Bassetlaw STP on behalf of the Council until there has been adequate public consultation.

ITEM OF BUSINESS NO.13 – NOTICE OF MOTION GIVEN BY COUNCILLOR ROBERT MURPHY

8. Amendment to be moved by Councillor Bryan Lodge, seconded by Councillor Tony Downing

That the Motion now submitted be amended by the deletion of all the words after the words “That this Council” and the addition of the following words:-

- (a) reiterates the apology that has been made for the way in which the work to replace trees on Rustlings Road was carried out, and recognises that the Council has apologised for the mistakes that were made;
- (b) believes it was right for the Council to apologise for the disruption and distress caused by knocking on people’s doors at 5am and the decision not to publish the Independent Tree Panel (ITP) report in advance;
- (c) welcomes that the apology included specific commitments that the Council will publish the Independent Tree Panel reports in a timely manner, with full and transparent information about how decisions have been reached, and the assurances that no work will begin before 7am;
- (d) fully supports the right of campaigners to continue to peacefully protest and, at the same time, believes that peaceful protests should not put the safety of the workforce who are doing their job, or the public, at risk;
- (e) continues to support the Streets Ahead Project, which is the biggest investment in Sheffield’s highway network that the city has ever seen, which was originally funded by the previous Labour Government;
- (f) recalls that plans to replace highway trees as part of the project were drawn up by Liberal Democrat Councillors when they were in control of the Council in a 2008 Cabinet Report detailing the scope of services to be included in the project and in a 2009 specification document drawn up for potential bidders for the contract, which included a forward from the then Leader of the Council, Councillor Paul Scriven;
- (g) continues to agree with the proposals put forward in the October 2008 and April 2009 documents relating to highway trees, the April 2009 document stating that “A significant improvement in the standard of tree maintenance will be required, with large numbers of over-mature

trees being replaced by more appropriate species, and others pruned, crowned or otherwise maintained in a safe condition. The Authority will require the overall number of highway trees across the City to be sustained at current levels and the highway tree stock returned to a more balanced age-profile during the course of the Project”;

- (h) confirms that since the Streets Ahead Project started, more highway trees have been replanted in the city than removed, and the purpose of this work is as stated in the Tree Management Strategy to “ensure the street tree population is maintained and improved throughout the contract term to create a legacy of a healthy, diverse tree stock in terms of age, profile and species, reducing the risk of monocultures, whilst ensuring the safety of the highway user and adjacent properties”;
- (i) further confirms the following from the 2012-2017 Tree Management Strategy “The removal of street trees will only be considered as a last resort where there are no other reasonably practicable management options available to ensure safety or prevent damage to surrounding structures. Removals will only be specified by suitably qualified and experienced surveyors and, where necessary, additional decay detection equipment will be used to confirm any recommendations. All trees removed will be replaced on a one for one basis the following planting season (November to March)”;
- (j) recognises that proposals around the replacement of trees on a number of streets have raised further issues because of their status as World War I memorial trees;
- (k) notes that one of these streets is Western Road, where the consultation closes on 9th December, and that Councillors Craig Gamble Pugh and Anne Murphy have been consulting with their constituents on this road to raise awareness about the surveys; and
- (l) commits to engaging with stakeholders such as the Sheffield Community Covenant and War Memorials Trust when considering the Council’s response to advice from the Independent Tree Panel, if and when the residents of Western Road decide to ask the ITP to re-examine the proposals, and commits to respond in an open and transparent way, carefully taking the ITP’s advice into account.

9. Amendment to be moved by Councillor Colin Ross, seconded by Councillor Martin Smith

That the Motion now submitted by amended by the deletion of original paragraph (g) and the addition of new paragraphs (g) to (j) as follows:-

- (g) calls on the Administration to review its policy on highway trees so that it takes into account the full value of their contribution to air quality, quality of life and the quality of the natural environment, and the democratic will that they be retained in much larger numbers;
- (h) calls for the immediate publication of all parts of the Streets Ahead contract that relate to tree felling, to allow full public scrutiny of the contract;
- (i) calls for an enquiry by the Overview and Scrutiny Management Committee, which will be open and held in public, to look specifically at:-
 - (i) all operational matters with regards to felling of trees; and
 - (ii) the events, decisions and operational matters specifically related to the felling of the trees on Rustlings Road -

with a view to producing a series of recommendations and steps to ensure nothing of the nature of the Rustlings Road incident ever happens in Sheffield again; and
- (j) calls on Councillors Julie Dore and Bryan Lodge to take responsibility for the events of 17th November and to step down as Leader and Cabinet Member for Environment, respectively.

10. Amendment to be moved by Councillor Douglas Johnson, seconded by Councillor Magid Magid

That the Motion now submitted be amended by the relettering of original paragraph (g) as a new paragraph (i) and the addition of new paragraphs (g) and (h) as follows:-

- (g) notes the formal apology from Councillor Lodge that “we commit to publishing the Independent Tree Panel reports in a timely manner, with full and transparent information about how we have come to decisions”;
- (h) but notes that the Council and its partner Amey has already blatantly disregarded this apology by felling a mature tree on Ventnor Place on 6 December 2016 after issuing consultation letters to all residents on the street inviting responses by 9th December; and

ITEM OF BUSINESS NO.14 – NOTICE OF MOTION GIVEN BY COUNCILLOR JOHN BOOKER

11. Amendment to be moved by Councillor Adam Hanrahan, seconded by Councillor Richard Shaw

That the Motion now submitted be amended by the deletion of all the words after the words “That this Council” and the addition of the following words:-

- (a) notes that the new Leader of UKIP, Paul Nuttall MEP, has called for the NHS to be privatised, calling it a “monolithic hangover from days gone by”, whose “very existence stifles competition”; and
- (b) notes comments by Nigel Farage MEP, former Leader of UKIP, who stated “I have never been, and I have never wanted to be, a career politician”, and further notes that Nigel Farage has stood unsuccessfully to be an MP seven times over the past 22 years and that Mr. Farage has been an MEP for 17 years and counting, taking salary and expenses of hundreds of thousands of pounds from the taxpayer.

ITEM OF BUSINESS NO.16 – NOTICE OF MOTION GIVEN BY COUNCILLOR ALISON TEAL

12. Amendment to be moved by Councillor Bryan Lodge, seconded by Councillor Tony Downing

That the Motion now submitted be amended by the deletion of all the words after the words “That this Council” and the addition of the following words:-

- (a) notes Amey Hallam Highways Ltd have confirmed that they have had no prosecutions or been served with any enforcement notice of any kind by the Health and Safety Executive (HSE);
- (b) recognises that Amey do receive informal contact from the HSE when members of the public report issues they observe, and they work closely with the local HSE Inspector to review them;
- (c) confirms that, to date, all have been successfully closed without any formal escalation required; and
- (d) notes that the HSE have not issued a prohibition notice about any complaints, which is within their power should they have been seriously concerned about safety until investigations are concluded, and accordingly there is no reason for the Council to believe Amey are operating unsafely, and therefore work will continue.