

SHEFFIELD TREE ACTION GROUPS (STAG)

Press Release

23 March 2018

SCC refuse mediation by senior Labour MP while forcing huge costs on to police SCC repeatedly refused offers of help with solving street tree crisis

STAG has made a formal complaint to Sheffield City Council that SCC has ignored chances to end the long-running dispute over felling of healthy street trees. By doing so the council has forced the police to take on huge costs when they come out several times a week to supervise a tree felling. STAG warned SCC they planned to take this complaint to the National Audit Office

This week Sue Hayman, Shadow Minister for the Environment, revealed that she offered to act as mediator “several months ago” but despite meetings with local MPs and leading councillors her offer has not been taken up. STAG also made an offer in November 2017 to take part in mediated discussions about the crisis but were refused by Council Leader Julie Dore.

Chris Rust, Co-Chair of STAG said:

We were delighted to find this week that the Shadow Minister has offered to act as mediator and we have written to her to confirm that we would be very pleased to take up her offer. It's scandalous that Sheffield City Council have buried their heads in the sand while this dispute has become more bitter and hugely more expensive.

At a time when Police across the country are facing a resource crisis and unable to respond quickly to genuine emergencies, our Council have forced them to put 30 officers on the street each day to supervise the needless felling of valuable healthy trees.

We believe that most of these trees can be saved using routine affordable methods, the recent revelations about the secret contract with Amey give a clear hint that there was a financial incentive for Amey to condemn huge numbers of healthy trees that would not be felled in other towns and cities.

There is still a chance for Ms Hayman's offer to be taken up, public concern has grown with each week of confrontation on the street between Amey's private army of security guards backed up by police and citizens who come out to protect their trees. Two local MPs, including the Shadow Policing Minister, Louise Haigh, have said there must be a negotiated solution but Council Leader Julie Dore refuses to say anything.

Text of STAG's complaint to Chief Executive of SCC is overleaf

Contact:

STAG press team: sheffieldtreeactiongroupsmedia@gmail.com

Complaint to Sheffield City Council by email to Chief Executive, 19 March 2018

Subject: Complaint - SCC incurring policing costs through failure to investigate other avenues for resolving dispute over Street Tree felling

Dear Mr Mothersole,

Since the start of January, South Yorkshire Police have become involved in policing the felling work undertaken by Streets Ahead, in particular supervising and monitoring the work of Amey-employed security guards.

Their presence has not enabled Streets Ahead felling work to proceed at an increased pace, quite the contrary. It is arguable that the police presence and the consequent use of force by security guards has increased the willingness of local residents to come out and actively protest, recent felling events have seen 40 or 50 protestors on the street each day on working days when the majority of our supporters have work and other commitments.

The police presence each day has called for more than 30 officers on the street for several hours, as well as control room staff and a fleet of vehicles including a mobile CCTV unit. This is an astonishing amount of public expenditure at a time when policing budgets are under great pressure along with other essential public services.

You will remember that we met on 8 November to discuss possible ways of resolving the dispute between SCC and tree campaign groups across the city. As Co-Chairs of STAG, Rebecca Hammond and I proposed that a programme of mediated discussions could help both parties come to a better understanding of the underlying problems and may identify opportunities for resolution. We did not put any conditions on the discussions other than that they would be entered into in a spirit of co-working and that a mediator would enable the process to be fair and constructive. We explained that there were a number of decisions, statements and policies by SCC that we would wish to ask questions about

SCCs response was to reject our proposal and although the reply from Cllr Dore expressed a willingness for continuing discussion of some kind, no proposal or suggestion was made.

Our understanding from conversations with Amey managers is that, despite unsustainable costs and very slow progress they feel unable to change direction as the consequences would be even more difficult for them. We know nothing of those contractual arrangements but it seems fairly clear that only an agreement between Amey and SCC, as the main partners, would enable a rethink of priorities.

Meanwhile we believe that the felling decisions for healthy 'Damaging' trees do not take proper account of section 58 of the Highways Act which states that "The level of maintenance required is dependent on the specific characteristics of the highway in question. We have also discovered evidence that SCC failed to take account of concerns expressed during the pre-contract risk assessment process, where knowledgeable people involved in your consultation pointed out that the tree felling plans would bring about strong public opposition. Not only were these concerns disregarded but they were not recorded.

We have a number of other grounds for believing that changing the felling plans, even at this late stage, would not incur excessive costs or problems for the good management of the streets in question. We believe that a collaborative, mediated enquiry as proposed by STAG, would have provided a better understanding of all these issues and may well have led to an amicable solution for all parties. The costs involved would have been slight compared to the astonishing policing costs, not to mention the huge costs imposed on your contractors.

In view of the very high continuing policing costs, and the daily use of force against many local citizens who find themselves in conflict with the law for the first time in their lives, we ask you to reply to this complaint within 10 days. If we feel your answer is not satisfactory we will take the matter elsewhere including the National Audit Office.

I hope that you will be able to find a way to unlock this very difficult problem and of course we would be very happy to meet at any time, however you will understand that the many active campaigners who support our local groups are not in a mood to accept compromises now that so many healthy trees have been felled and so many of their friends have been subjected to violence, some on their own streets.

Yours Sincerely,

Chris Rust

Co-Chair, STAG, Sheffield Tree Action groups

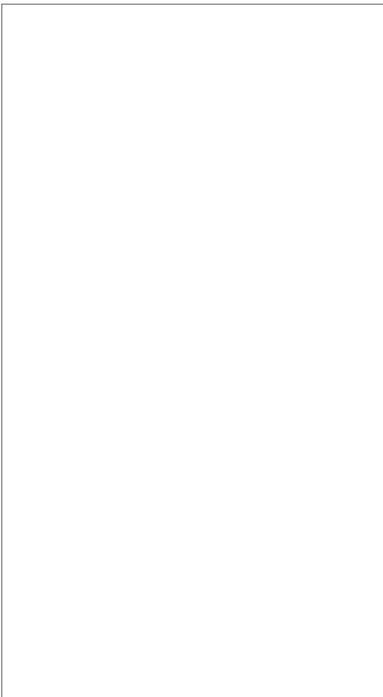
Images (photographers have given permission for use in news media only, please attribute)



Treehuggers on Meersbrook Park Rd, Monday 22 January 2018

Some faces covered because SCC are seeking huge court costs and damages from protestors

Photo: Pixelwitch, download from <https://sheffieldtreemap.files.wordpress.com/2018/01/jaq-01.jpg>



Gordon's Placard

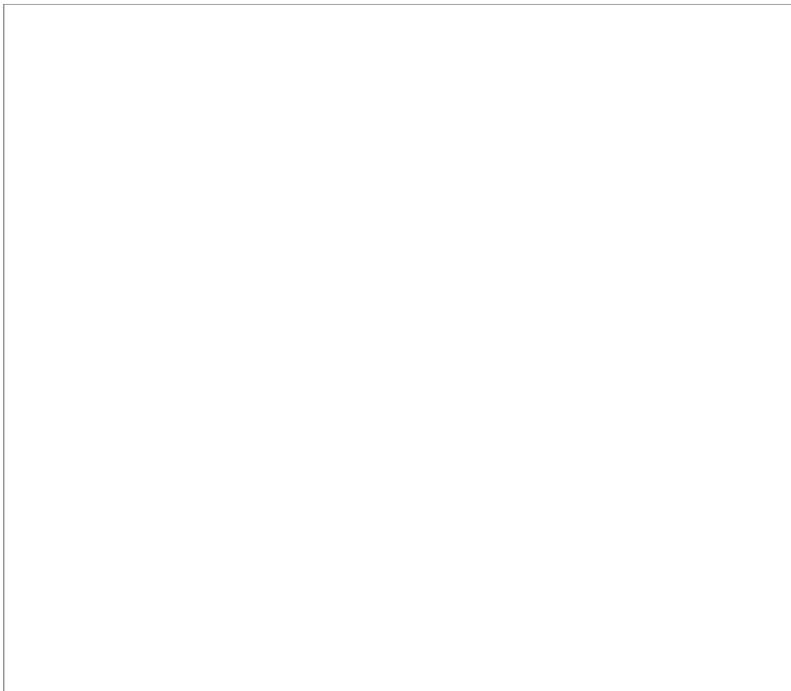
Photo Paul Brooke, download from

<https://sheffieldtreemap.files.wordpress.com/2018/01/gordon-placard.jpg>



Maureen (Gordon's wife)

Photo Luis Arroyo Photography <https://sheffielddreemap.files.wordpress.com/2018/02/18-01-19-maureen-meersbrook-park-rd.jpg>



Treehuggers, Meersbrook Park Rd

Photo Luis Arroyo Photography

Download from <https://sheffielddreemap.files.wordpress.com/2018/02/10-01-19-treehuggers-meersbrook-park-rd.jpg>

Background information

Amey LG is the arm of Amey plc responsible for contracts with Local Government in the UK. Their most recent accounts show that the company made losses of £74.3m in 2015 and £43.9m in 2016, with the losses attributed to problems in local highways contracts. Amey plc is a subsidiary of the Spanish multinational Ferrovial that builds and operates roads, railways and airports around the world. Public sector contracting in the UK, including PFI, is a very big part of Ferrovial's business. See Amey LG accounts: <https://sheffieldtreemap.files.wordpress.com/2018/01/amey-lg-accounts-2016.pdf>

Currently Amey's work to resurface Sheffield's streets is months behind schedule, having failed to complete the first 5 year stage of the contract on time Amey face very big financial penalties and there are rumours that they lost the support of their main road surfacing sub-contractor last year due to extreme late payment problems. Certainly the surfacing work came to a complete halt for a long period and a new sub-contractor appointed.

The street tree felling programme is a relatively small part of the Streets Ahead PFI project but it has become significant because of widespread public hostility. There is no evidence that the campaign to protect street trees is affecting resurfacing work, most streets delayed do not have trees.

It is very difficult to understand how the tree crisis came about, given the levels of secrecy in the contract. It appears that SCC made serious errors in misinterpreting the results of a street tree survey commissioned in 2007 leading them to assume that more than half of Sheffield's street trees were in need of replacement very soon. In fact the survey did not say that and experts say that many of the big healthy trees condemned have at least 100 years of life ahead. If they are felled it will take decades

You can find a great deal of detailed information, including links to most of the critical documents and data, in the **Citywide Tree Preservation Order Request** (TPO request) made by STAG to the Department of Communities and Local Government (DCLG) in October 2017. <https://sheffieldtreemap.files.wordpress.com/2018/01/17-10-13-city-wide-tpo-letter-v9-1.pdf>

(The Minister gave serious consideration to this request and was supportive of its aims but concluded it was not a practical way to solve this problem)

In July 2017 Sheffield City Council obtained an injunction to prevent citizens from protecting trees from the work of the PFI contractor. However opposition has continued and Amey have struggled to fell trees in the face of determined resistance, falling far behind their targets. One person has been found guilty of contempt of court for breaching the injunction but cases against others were dismissed when it became clear that the contractor and City Council had failed to understand the terms of the injunction in bringing their cases.

Sheffield City Council has pursued a vigorous PR campaign in support of the PFI contract, seeking to accuse campaigners of being a minority who behave badly, but the evidence they offer is highly questionable and the majority of citizens who responded to SCC's survey of residents views support retention of healthy trees. The tree campaigners are almost all local residents who have not been active in this way before but are outraged by the attack on our streets.

STAG opposes the unnecessary felling of healthy street trees since they have huge value to residents and the environment, including improving health, removing pollution, and enriching the urban landscape. 83% of the big canopy trees condemned by Amey and SCC in the past two years have been healthy with the possibility of more than 100 years of useful life ahead. The great majority of these trees could be retained using simple low-cost engineering solutions widely used elsewhere.

Value of trees lost: As of August 2017, the healthy trees that were listed for felling were estimated to be worth £11 million, and the overall value of healthy trees due to be lost as a result of the contract estimated at £66 million. See report by Ian Dalton who carried out tree valuation: <https://savesheffieldtreesorguk.files.wordpress.com/2017/09/cavat-valuation-report-on-street-trees-in-sheffield.pdf>