

SHEFFIELD TREE ACTION GROUPS (STAG)

Press Release

4 June 2018

SHEFFIELD CITY COUNCILLORS HAVE LOST CONTROL

Faceless council officers making important decisions that undermine attempts to reach 'compromise' over tree felling fiasco.

Tomorrow, Tuesday 5th June, SCC are taking four tree campaigners to the High Court, threatening to imprison them and impose punitive court costs. A leading councillor has admitted that local politicians had no say in taking this risky, expensive action, even though it undermines efforts to end the painful, long drawn out dispute over felling healthy street trees.

Clr Lewis Dagnall, recently appointed Cabinet Member in charge of the Streets Ahead project, explained to tree campaigner Ann Anderson that the decision was taken by Council legal officers following 'due process' and elected councillors had no say in the matter.

Ann Anderson, of Save Dore, Totley and Bradway Trees said:

It's astonishing that unelected officials can take risky, expensive decisions, cutting across Cabinet efforts to bring this painful dispute to an end. Supporters of the tree campaign are outraged at friends being dragged through the courts and facing prison when there is a very real possibility of an end to disputed fellings. They could have held back for a while to see what happens with the new scheme that SCC and the contractors are working out.

Chris Rust, Co-Chair of STAG Steering Group said:

Once again the unelected tail is wagging the dog. We have seen a long and depressing trail of really bad decisions by SCC Officers, leading to confrontation on the streets and in court. Councillors can't fix this until the council officers learn a little humility and start to pay attention to the public interest. Sadly the history of this dispute shows us that bad judgement and unwillingness to confront past errors are the norm at SCC.

So far SCC have taken four people to court under their injunction, two were found not guilty at huge cost to SCC, the other two were found to have broken the letter of the injunction but did not actually hold up any tree fellings. This is just vindictive, incompetent and ineffective.

Meanwhile opposition councillors tell us that there are practical ways in which the elected leaders of our Council could take control and make sure that Council Officers pay proper attention to the wider public interest. Maybe our council leaders aren't trying hard enough.

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Background information

Tree Campaigners in court this week

Paul Brooke, Benoit Compin, Simon Crump, Fran Halsall. All are charged with contempt of court for breaches of the Injunction obtained by SCC in the High Court in July 2017.

The case will be heard by Mr Justice Males who awarded the original injunction. The case will be heard in Sheffield from 5th to 7th June. Campaigners plan protests outside the court and in the city centre during the hearing.

Street Tree Felling by SCC's contractor, Amey, who were given a target of 17,500 trees (half of the city's street trees) to replace under the terms of a 25 year Highway renewal PFI contract 'Streets Ahead'. The majority of these condemned trees were healthy and a great many could live on for over 100 years. Over 5000 trees have been felled so far despite the efforts of tree campaigners.

Because of widespread secrecy it is not possible to understand why the trees are being felled but campaigners believe the contract creates incentives for trees to be chopped unnecessarily. They also claim that key documents have been destroyed or even falsified to cover up errors by SCC

The Contractor, 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 to replace the health-giving green canopy.

Recently SCC were forced to reveal that there is a target to fell half of the street trees in the city. Statements by SCC indicate that there may have been a financial incentive for the contractor to condemn the maximum number of trees, including a high proportion of healthy trees causing minimal damage,, which could explain the apparently irrational decisions in many cases. The situation is still shrouded in secrecy and vagueness and tree campaigners have a great many unanswered questions that should be heard in the public interest.

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)

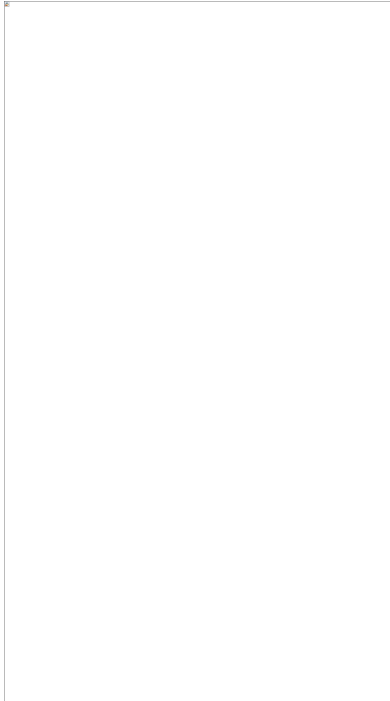
In July 2017 Sheffield City Council obtained an injunction to prevent citizens from protecting trees from the work of the PFI contractor. However opposition has continued and Amey have struggled to fell trees in the face of determined resistance, falling far behind their targets. One person has been 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>

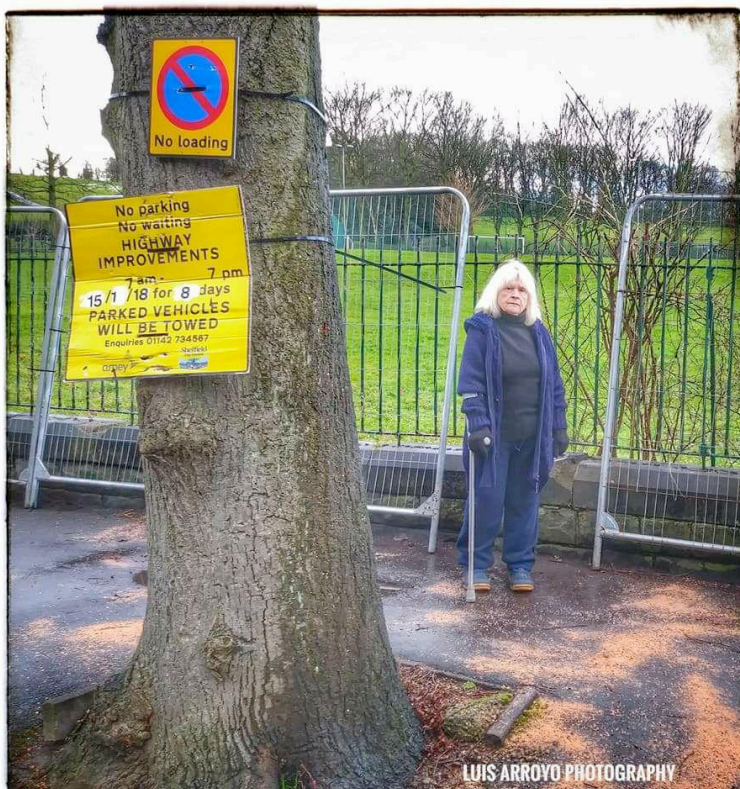
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Gordon's Placard (87 year old resident of Meersbrook PARK Rd)

Photo Paul Brooke, download from

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



Maureen (Gordon's wife) defending a tree opposite her house

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



Defending a tree on Meersbrook Park Rd

Photo Luis Arroyo Photography

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