

Independent Inquiry into the Sheffield Street Trees Dispute

Independent Chair: Sir Mark Lowcock KCB

Terms of Reference and Management Statement

Background

Mark Lowcock has been appointed under contract by Sheffield City Council to act as the Independent Chair for the Inquiry.

Purpose and Methodology

The goals of the Inquiry are

- a) To support the ongoing recovery in Sheffield from the dispute
- b) To draw conclusions and make recommendations designed to help minimise the risk of the dispute re-emerging in future.

In establishing the Inquiry, the Council has referred to a need for “truth and reconciliation”. The Inquiry will be guided by that.

In order to achieve its goals the Inquiry will examine what happened and why it happened. It will consider the facts of the dispute and why stakeholders on all sides acted in the way they did.

The Inquiry will review documentation, organise private discussions and hold public events including hearings. It will provide opportunities for interested stakeholders to be heard.

The Inquiry will publish a report at its conclusion.

Sheffield City Council have agreed to provide the Inquiry access to all the information it holds which the Inquiry may consider relevant.

The Inquiry will provide other stakeholders with the opportunity to submit whatever information they consider relevant. It will also seek additional information from stakeholders and other parties, including relevant experts.

The Inquiry will consider issues raised in previous relevant reports on the street trees dispute.

Issues for consideration

The Inquiry will examine inter alia:

- a) The context, including the situation of Sheffield’s highways, pavements and street trees around 2008-10;
- b) The decision to use a PFI scheme;
- c) The appointment of Amey and the terms of the Streets Ahead contract;
- d) The implementation of the contract in particular tree felling;
- e) Opposition to the implementation of the contract and the emergence of the dispute;
- f) How the Council, Amey and others responded as the dispute progressed, in particular in the period between 2016 and 2018 in which the dispute escalated and then de-escalated;

- g) The impact of the Streets Ahead programme, the development and implementation of the 2021 Sheffield Street Tree Partnership Strategy, and ongoing issues.

Conduct of the Inquiry

The Inquiry will be independent of all stakeholders. It will adopt a constructive and inquisitorial approach; that is to say, it will pose questions and seek information in order to help all stakeholders better understand what happened, why it happened and why other stakeholders behaved as they did.

The stakeholders and participants will be provided with a fair process.

The Inquiry will comply with Freedom of Information, data sharing and confidentiality requirements as set out in the contract between the Independent Chair and Sheffield City Council.

The Independent Chair will be supported by a small team of staff and experts led by a Secretary to the Inquiry (selected by the Chair) and by Weightmans LLP.

The Independent Chair will be mindful of the need to keep the cost and duration of the Inquiry within reasonable limits, taking account of the experience of Statutory and other relevant Inquiries.

The Inquiry will provide periodic updates via statements from the Independent Chair on the Council's website.

The Inquiry expects to complete its work by March 2023 or earlier.

The Inquiry will notify individuals and organisations who are referred to in the conclusions of its report and provide them with an opportunity to respond to any significant criticism proposed for inclusion in the report.

The full report of the Inquiry will be made available at the same time to all stakeholders (including Sheffield City Council) by publication on the Council's website.

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