

EPPING FOREST & COMMONS COMMITTEE
Monday, 11 May 2015

Minutes of the meeting of the Epping Forest & Commons Committee held at
Committee Room - 2nd Floor West Wing, Guildhall on Monday, 11 May 2015 at
11.30 am

Present

Members:

George Abrahams
Deputy John Barker
Deputy Stanley Ginsburg
Alderman Gordon Haines
Alderman Sir Paul Judge
Deputy Catherine McGuinness
Sylvia Moys
Barbara Newman
Virginia Rounding
Philip Woodhouse
Verderer Peter Adams
Verderer Michael Chapman DL
Verderer Richard Morris
Verderer Dr. Joanna Thomas
Alderman Ian Luder (Ex-Officio Member)

In attendance:

Deputy Billy Dove, The Chief Commoner

Officers:

Paul Double	City Remembrancer
Nigel Lefton	Remembrancer's Department
Sam Cook	Remembrancer's Department
Natasha Dogra	Town Clerk's Department
Sue Ireland	Director of Open Spaces
Andy Barnard	Superintendent, Burnham Beeches, Stoke Common & City Commons
Paul Thomson	Superintendent, Epping Forest
Geoff Sinclair	Open Spaces Department
Jeremy Dagley	Open Spaces Department
Laura Lawson	Open Spaces Department
Caroline Brown	Open Spaces Department
Jacqueline Eggleston	Open Spaces Department
Jo Hurst	Open Spaces Department
Alison Elam	Chamberlain's Department
Roger Adams	City Surveyor's Department
John Park	Public Relations Office

1. **APOLOGIES**

Apologies had been received from Deputy Alex Deane.

2. **MEMBERS' DECLARATIONS UNDER THE CODE OF CONDUCT IN RESPECT OF ITEMS ON THE AGENDA**

Deputy Catherine McGuinness declared an interest as a Trustee of the Epping Forest Centenary Trust.

3. **ORDER OF THE COURT OF COMMON COUNCIL 23 APRIL 2015**

RESOLVED – that the Order of the Court of Common Council be received.

4. **ELECTION OF CHAIRMAN**

The Committee proceeded to elect a Chairman in accordance with Standing Order No. 29. A list of Members eligible to stand was read and Alderman Gordon Haines being the only Member expressing a willingness to serve was declared to have been elected as Chairman of the Epping Forest and Commons Committee for the ensuing year.

The Chairman welcomed the Chief Commoner Deputy Billy Dove to the meeting. New Members Alderman Sir Paul Judge and Philip Woodhouse were welcomed and the Chairman wished them well during their tenure on the Epping Forest and Commons Committee.

5. **ELECTION OF DEPUTY CHAIRMAN**

The Committee proceeded to elect a Deputy Chairman in accordance with Standing Order No. 30. A list of Members eligible to stand was read and George Abrahams being the only Member expressing a willingness to serve was declared to have been elected as Deputy Chairman of the Epping Forest and Commons Committee for the ensuing year.

The Deputy Chairman thanked Members for their support and thanked outgoing Members of the Committee for their work during their tenure.

6. **MINUTES**

RESOLVED – that the minutes of the previous meeting be agreed as an accurate record.

7. **COMMITTEE APPOINTMENTS 2015/16**

The Committee received a report of the Town Clerk concerning the appointment of Sub Committees and representatives on other bodies for the next twelve months. Members were reminded of the current membership of the various Sub Committees, Consultative Committees, Steering Groups and Management Project.

In response to a query, Members noted that the City of London Corporation's education strategy was currently being refreshed by the Education Board. As this included education around the Open Spaces there might be significant changes to the status of the Epping Forest Joint Consultative Committee's terms of reference, and Members would receive an update at a future committee meeting.

RESOLVED – That the Membership of Sub Committees be agreed as follows:

Epping Forest Reference Sub Committee

Alderman Haines
George Abrahams
Deputy Barker
Deputy McGuinness
Sylvia Moys
Barbara Newman
Virginia Rounding
Verderer Morris
Verderer Thomas

Ashtead Commons Consultative Committee

Alderman Haines
George Abrahams
Sylvia Moys
Barbara Newman
Philip Woodhouse

Burnham Beeches Consultative Committee

Alderman Haines
George Abrahams
Sylvia Moys
Barbara Newman

Coulsdon Common Consultative Committee

Alderman Haines
George Abrahams
Verderer Adams
Sylvia Moys
Barbara Newman

West Wickham Commons Consultative Committee

Alderman Haines
George Abrahams
Verderer Adams
Sylvia Moys
Barbara Newman

Epping Forest Centre Joint Consultative Committee

Alderman Haines
George Abrahams
Verderer Adams
Verderer Morris
Deputy McGuinness
Sylvia Moys

Epping Forest Management Plan Steering Group

Alderman Haines
George Abrahams
Sylvia Moys
Deputy McGuinness
Verderer Adams
Verderer Thomas
Verderer Chapman
Verderer Morris

Wanstead Flats Playing Fields Committee

Alderman Haines
George Abrahams
Verderer Thomas
Verderer Adams

Opens Spaces & City Gardens Committee representative

Verderer Adams

8. PROMOTION OF A CITY OF LONDON CORPORATION (OPEN SPACES) BILL

The Committee considered a report of the Remembrancer noting that on 3 November 2014 Members had agreed that local consultation should be carried out with a view to the promotion of a private Bill in Parliament to make changes to the legislative framework governing the City Corporation's Open Spaces. In the light of that consultation and following further internal discussion, a number of provisions were now being put forward for the Committee's consideration.

Members were informed that the principal aims of the changes would be to clarify and expand the management powers available to the Corporation, to increase opportunities to generate revenue for the benefit of the Open Spaces (consistent with their status as a public resource), and to strengthen enforcement powers.

Members noted that land held solely in a private capacity and not under a statutory regime, such as Epping Forest Buffer Land, was not within the existing scope of the proposed Bill. Members agreed that the issue of Buffer Land would require further investigation and it would therefore not be appropriate to include it in the current exercise given that the Bill was due to be introduced in Parliament in November 2015. The Remembrancer said that the City of London Corporation had promoted private Bills in Parliament with Open Spaces content more regularly in the past and Members might wish to request that Officers address the issue of Buffer Lands in a future Bill.

Members queried the appropriate maximum period for a lease which the Director indicated is likely to be 21 years, in keeping with arrangements made by many other Local Authorities. The potential to increase the protection afforded through national landscape legislation was also considered and it was noted that this was part of the Management Plan Consultation.

Members also noted that the report would require the approval of both the Policy and Resources Committee, and the Court of Common Council.

RESOLVED – that, subject to the concurrence of the Policy and Resources Committee and the Court of Common Council, approval be given for the Bill to be promoted to seek the legislative changes as set out in the report. Delegated Powers for further necessary changes to the Bill's content by the Chairman and Director were approved.

9. **OPEN SPACES BUSINESS PLAN**

The Committee considered a report of the Director of Open Spaces presenting the Open Spaces Business Plan for the years 2015/16 – 17/18.

It was noted that the four departmental objectives were to:

- Improve the health and wellbeing of our communities through access to green space and recreation.
- Protect and conserve the ecology, biodiversity and heritage of our sites.
- Embed financial sustainability across our activities by delivering identified programmes and projects.
- Enrich the lives of Londoners by providing a high quality and engaging learning and volunteering offer.

Members observed that the delivery of these objectives was supported by a number of corporate, departmental and divisional projects and programmes. Members also noted the list of charitable objectives and agreed that these were an important priority for the years ahead.

In response to a query regarding 'Health and Safety' indicators, Officers agreed to revise the text to read 'Any hazard arising will be included *without delay*'. , informing the parent Committee of any key issues arising from this process. Within the Risk Register, managing water bodies at Wanstead Park, Baldwins Pond and the Deer Sanctuary, should be included.

Officers clarified that the 'Cemetery and Crematorium Shoot' was a project to remediate an area previously reserved for spoil storage to provide additional burial space and work was scheduled to commence onsite in 2015/6.

RESOLVED – that the Open Spaces Business Plan 2015/16 – 17/18 be agreed.

10. **APPLICATION FOR BASIC PAYMENT SCHEME FUNDING**

The Committee considered a report of the Director of Open Spaces outlining changes to the process by which direct grant payments were made for the area of agricultural land under management, including grasslands available for grazing or fodder.

In response to a query, Officers informed Members that the BPS payment rates were expected to be about 10% lower than SPS, although the exact reduction required confirmation from the RPA depending upon the size of the total UK claim to the EU. However, a revision of the area of land on which the claim

could be made had resulted in City Commons and Epping Forest proposing to claim a greater eligible area than in 2014. It was anticipated that the grant claimed would be approximately £190,000 -210,000, but this would also be dependent on Euro/Sterling exchange rates.

RESOLVED – that the following be approved:

- applications for grant under the new Basic Payment Scheme (BPS);
- the sale of any excess SPS entitlements no longer valid under BPS, the income (between £1,000 - £4,000) from which to go towards grazing and grassland management; and
- the delegation of the powers of authorisation from the Director to the Superintendents of the relevant Divisions to submit the claim applications.

11. **WAYLEAVES REVIEW**

Members considered a joint report of three Superintendents proposing the implementation of a more uniform and structured approach to the charging and management of Wayleaves across the Open Spaces.

It was noted that a wide range of residential properties, farms, community facilities and businesses relied on access across City of London land, either from the public highway or City land itself, to reach land in their ownership or occupation. Access requirements for new or existing 'enclosures' created by the City of London's acquisition of land were largely managed by Wayleave agreements.

Discussions ensued regarding the council tax banding system and Members noted that there was a standard percentage escalation between council tax bands nationally. The Motorgate fee charged for properties in council tax banding 'A' set the benchmark of fees from £70 per annum, which represented the current value of £50 when linked to the retail price index over the last 10 years.

Members noted that the Handgate Wayleave was to increase from £5 per annum to £10 per annum resulting in an increased income for Handgates from £5,190 pa to £10,380 pa. The total increase in income for Motorgates and Handgates would be approximately £30,000 pa.

In response to Member's questions, Officers confirmed that alternative annual inflationary measures will be considered in future charges reports; welfare considerations are already integrated into the notice process for non-payment of Wayleave charges and the Public Relations Office will be included in the communication of the new pricing structure.

RESOLVED – that approval be given to the following:

- Option 2 as set out in the report, which linked the charging of Motorgates to existing Council Tax bandings, and increases Handgates from £5 per annum to £10 per annum.
- authority being delegated to the Superintendent of Epping Forest in conjunction with the City Surveyor to obtain professional valuation

advice on a number of commercial access Wayleave agreements for further determination by the Committee.

12. **SUPERINTENDENT'S UPDATE**

The Superintendent of Epping Forest provided Members with a verbal report on developments or activities which had taken place at the Forest since the last meeting

Members noted that a new Support Services Team Leader and a new Litter Picker had been recruited. Despite drier weather, gales had damaged trees during late March. Volunteers had contributed 2,397 hours to the Forest over the last two months, while the Chairman had made awards at the annual Volunteer Supper to recognise volunteer contributions.

Project work had been completed at Highams Park in March, together with a new £17,000 bridge at ditches ride and the £37,000 repair of the Cobbins Brook Culvert. Following CCTV assessment, the Epping Town Green sink hole had been excavated allowing the repair and reconnection of a collapsed storm drain. Evaluation work was underway at Baldwins and Birch Hall Park Ponds.. The Hazardous Tree work programme was also now underway and it was noted that this might encompass the striking veteran tree at Brook Road.

Ahead of the close of the football season which had seen 2,810 matches played, the Chairman, Deputy Chairman and Verderer Thomas had joined former footballer Ledley King to celebrate a shared 125 year anniversary with the London Playing Field Foundation who were the first operators of sports pitches on Wanstead Flats in 1890.

A 6 week public consultation ending in mid-June was currently underway to gain public insight into the challenges around combining both heritage and nature conservation objectives at Epping's two Iron Age hill forts. Some 225 responses had been received in relation to the conceptual options for Wanstead Park, with contributors seeking greater emphasis on nature conservation and children's play.

A Planning Inspector was currently considering the North Enfield Area Action Plan promoted by London Borough of Enfield; this plan included a proposal road to link Enfield's Innova Park Industrial Area with junction 26 of the M25 rerouting traffic congestion on A10/junction 25. With the support of many local authorities Epping Officers had been successful in deleting references to the link road.

Officers continue to make good progress with two new research projects on beech hollowing fungi and the monitoring of GPS data from grazing cattle. Forest Keepers had successfully pursued 2 fly tipping cases, while fly tips for February/March had risen by 5% to 135 incidents. Ten Rough Sleeper clearances had been completed to April, while the Coroner has been unable to record a cause of death for a Rough Sleeper found dead at Tarzey Wood in 2014.

Experimental injections of a natural insecticide had been made to two Horse Chestnuts at Woodford Green suffering from Horse Chestnut Leaf Miner Moth defoliation.

In response to a query regarding the £37,000 project to repair the Cobbins Brook culvert at Copped Hall Park, Officers informed Members that the costs had been subject to full public tender and would be met by the City Surveyors Department's Additional Works Programme.

The Chairman conveyed congratulations received from the Ranger, HRH Richard The Duke of Gloucester on the success of the 125th Anniversary of sport at Wanstead Flats.

RESOLVED – that the updated be noted.

13. WARLIES PARK - UPSHIRE MILLENNIUM FIELD

The Committee considered a report of the Superintendent of Epping Forest proposing the grant of a lease to the Upshire Millennium Trust in respect of the Warlies Park Millennium Field.

Members were informed that a field at Upshire on the Warlies Park Estate, part of City of London's Buffer Land, had been utilised for community benefit for many years, firstly as St Thomas' Cricket Club and since 2002 as the Upshire Millennium Field (UMF).

Officers sought approval to grant a further lease to the Upshire Millennium Trust in respect of the Millennium Field for a period of three years. The Trustees had sought a continuing commitment to the peppercorn rent enjoyed since the Greater London Council's ownership of the site. Officers agreed to oblige the Upshire Millennium Field Trustees to submit an annual report regarding the use of Warlies Park Millennium Field and consider a percentage share with the City on future events.

RESOLVED – that approval be given to the grant of a lease to the Upshire Millennium Trust in respect of the Warlies Park Millennium Field for a period of three years from the 12th May 2015 at a peppercorn rent and to exclude the protection provision of S.24-28 Landlord & Tenant Act 1954 and that the Comptroller and City Solicitor be instructed to complete the necessary documentation with each side to bear its costs.

14. PLANNING CASEWORK

The Committee received a report of the Superintendent of Epping Forest providing information on those planning applications and pre-planning consultations made on behalf of the Committee over the past year.

Members noted that some 132 planning applications had been considered on the Committee's behalf, a 45% increase on last year. Objections had been made to 39 applications. From these applications, 44% had been refused or withdrawn, 36% had been granted permission, seven applications were for pre-application advice, and one application had Forest verge crossover

implications. The 44% refused or withdrawn level compared favourably with national statistics for year ending 2014, which showed a 12% refusal rate.

In response to a query regarding the Policy and Resources Committee's past decision to allocate £25,000 for external planning advice, Members noted that this fund had been allocated for a specific time period which had lapsed. Officers informed Members that the full sum had been utilised; however, it was not advised that Members seek further funding for external planning advice during the time of Service Based Reviews and also due to the amount of 2014/15 'carry forward budget' by the Open Spaces Directorate.

RESOLVED – that the report be received.

15. **EPPING FOREST FOOTBALL CHARGES 2015/16**

The Committee considered a report of the Superintendent of Epping Forest reviewing the charges for the sport facilities that were provided at Epping Forest, and seeking approval for the proposed charges for the 2015/16 season.

Members were advised that, following a review of charges, it was proposed to hold the current published seasonal tariff charges at 2014/15 levels but reduce the season to a 30 week season, down from the current 32 week season. This would represent an effective 4% increase to the teams, while retaining a 1.6% increase for one off bookings.

RESOLVED – that:-

- the proposed charges for sports facilities in Epping Forest for 2015/16 be held at 2014/15 season rates while reducing the season duration from 32 to 30 weeks;
- a 1.6% Consumer Price Index increase be retained for individual date bookings;
- powers continue to be delegated to the Superintendent to discount or waive charges for trial periods in order to develop both new pitch configurations and off-peak and out-of-season use, and to help target underrepresented groups identified in the Sports Development Plan; and
- powers continue to be delegated to the Superintendent to revise the current sport charges terms and conditions and to retain the deposit arrangement for clubs 'block booking' pitches in advance that was introduced five years ago.

16. **ANNUAL REPORT OF LICENCES ISSUED 1 APRIL 2014 TO 31 MARCH 2015**

The Committee received a report of the Superintendent of Epping Forest updating on the number and variety of licences issued under delegated powers for the temporary use of Forest land in the year 1 April 2014 to 31 March 2015.

It was noted that there had been 210 licences issued for various events, activities and temporary use of Forest Land which had altogether raised a total of £84,070.66. 457 horse riding licences, which included annual, weekly and replacement licences, were issued raising a total of £13,377.07. The total

income for 2014/15 was £97,447.73, representing a 17% increase on income from 2013/2014.

Members queried the number of licences in respect of the income figure and were informed that the annual and weekly licences were combined in the figure. So far this year 289 horse riding licences had been issued. Members queried whether the increase in the price for horse riding licences would result in horse riders riding without a valid licence. Officers informed Members that riding without a licence was a byelaw offence and a strict enforcement programme was in place to manage horse riders in the forest without a valid licence.

RESOLVED – that the report be received.

17. **WANSTEAD PARK: LANDSCAPE CONSERVATION AND REGENERATION PROGRESS UPDATE**

The Committee received a report of the Superintendent of Epping Forest outlining the work undertaken since 2009 to better understand the potential landscape conservation and regeneration potential of Wanstead Park. An amendment by the City Surveyor stating 'It should be noted that any future works have the potential to be very expensive but we will have opportunity to consider individual elements as they arise to look at cost effective solutions and the cost benefit analysis, subject to the obligations and requirements of a Grade II* Landscape' was accepted

Members noted that a substantial amount of work had been undertaken to research and understand the landscape conservation and regeneration needs at Wanstead Park since it was added to the Heritage at Risk Register in 2009.

Members discussed whether it was necessary for such information reports to be submitted to the Grand Committee. The Director agreed to investigate the possibility of submitting these information reports to a sub-committee or consultation group for their consideration in the first instance.

RESOLVED – that the report be received.

18. **CYCLING AT POLE HILL**

The Committee considered a report of the Superintendent of Epping Forest concerning the impact of mountain biking at Pole Hill. Members noted that there had been previously reported cases of cyclists physically altering Forest land to create jumps and berms within the former brick workings at Pole Hill.

Members discussed the implementation of the option to maintain the area restriction on the grounds that previous enforcement and restoration work which had maintained a climate of compliance would be undermined by a change. The Committee agreed that option 1 as set out in the report was the preferred option; however, signage regarding enforcement around cycling must be erected around the forest to ensure the public were aware of the area restrictions. Members agreed that these signs could be in the form of simple notices at the forest entry sites. Officers welcomed the clarification on signing which had previously been discouraged under concern for the 'natural aspect'.

RESOLVED – that option 1 (to maintain the area restriction) be approved as set out in the report, on the grounds that previous enforcement and restoration work which had maintained a climate of compliance would be undermined by a change.

19. **BRANCHING OUT PROJECT EXTENSION**

The Committee received a report of the Superintendent of Epping Forest providing an update on the delivery programme for the City's £6.8million Branching Out project.

The Committee placed on record their thanks to Officers for their hard work and perseverance with this project.

RESOLVED – that the report be received.

20. **ANNUAL REPORT OF FLY TIPPING AND WASTE DISPOSAL AT EPPING FOREST - 1 APRIL 2014 TO 31 MARCH 2015**

The Committee received a report of the Superintendent of Epping Forest updating on the number of fly tips and the quantity of litter and material made available for recycling removed from Epping Forest in the year 1 April 2014 to 31 March 2015.

Members were informed that there had been 513 fly tips, an average of 10 per week, recorded on Forest land in the reporting period. These varied from a single black sack of household waste to lorry loads of builders waste; it also includes fly tips of hazardous waste such as asbestos and tyres.

Members raised concerns regarding the time taken on the selection of an alternative CCTV system following the loss of the previous equipment.

Discussions ensued regarding members of the public who collected rubbish whilst out walking in the forest. The Committee agreed that this must be encouraged and requested Officers in the Public Relations Office to investigate whether an article could be placed in the local papers in Epping Forest to both thank volunteers and encourage the public to pick up litter around the forest.

RESOLVED – that the update be received.

21. **EPPING FOREST MANAGEMENT PLAN (PHASE 1 CONSULTATION)**

The Committee considered a report of the Superintendent of Epping Forest concerning the proposed public consultation process for a new Epping Forest Management Plan.

Members noted that a new Management Plan was required to guide the future management of Epping Forest, following the expiry of the previous plan in 2010. The inherent value of engaging with interested parties during the early stages of the plan's development had been recognised in previous reports.

Members noted that a comprehensive consultation would take place in the summer of 2015 to capture the thoughts, views and ideas of stakeholders, community groups, and individual members of the public on the management issues faced by the Conservators. This consultation would give the Conservators a greater understanding of the management priorities for the Forest over the next 10 year period from the perspective of stakeholders and visitors. An amendment tabled on the content of the section of Wood Pasture Restoration was accepted.

Members agreed that the introduction to the document must explain the layout of the consultation plan to ensure respondents understood how to navigate their way around the 209 page document.

The Committee expressed their gratitude to the Epping Forest Management Plan Steering Group and the Officers involved with producing the consultation document.

RESOLVED – that approval be given to the text for public consultation as per the Epping Forest draft Management Plan Consultation Phase 1 document and the timetable for consultation.

22. **SUPERINTENDENT'S UPDATE**

The Superintendent of Burnham Beeches, Stoke and City Commons provided Members with a verbal on developments or activities which had taken place since the last meeting Dog Control Order (DCOs) had been in operation at Burnham Beeches for 5 months and no Fixed Penalty Notices had been issued. At a recent meeting of the Burnham Beeches Consultative Group, the Dogs Trust verbally gave their full support for the DCO's and that Officers had clearly tried extremely hard to accommodate all views.

Members noted that further trials had been carried out with new, lighter and more secure electric collars on the Exmoor ponies at off-site fields using a buried cable and a new design of collar. Outcomes had been promising and further testing would be undertaken.

Members noted that on Sunday 19 April six fires had broken out across the wood pasture areas of Ashtead Common, two of which had been attended by the Fire Service. By raising the alarm, the public had helped to minimize the impact on the site. The firebreaks also worked well and had minimised the damage. The Fire Service believed that the fires had been started deliberately as an act of arson; Officers were therefore appealing for information. Volunteers had helped greatly with the clear up. None of the living veteran oak trees had been affected but some standing dead trees were damaged.

The Phase 2 Heritage Lottery Fund (HLF) bid for the Kenley Revival Project was now nearing completion. A final meeting would take place with the HLF at the end of May and the bid submitted in the first week of June. The HLF would announce the outcome in September 2015.

RESOLVED – that the updated be noted.

23. QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE

Cattle Grazing at Epping Forest

In response to a query regarding the lack of cattle grazing at Epping Forest, Officers informed Members that cattle were usually turned out in May, but due to a dry spring and the administering of an anti-flu treatment, the turning out had been delayed. Moreover, due to the updated invisible fencing system, the cattle were being trained on the Buffer Land before being let out to graze; however, they would be brought out over the next two weeks.

24. ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT

There was no urgent business.

25. EXCLUSION OF THE PUBLIC

It was agreed that under Section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Part I of Schedule 12A of the Local Government Act.

26. NON-PUBLIC MINUTES

RESOLVED – that the minutes be agreed as an accurate record.

27. GATEWAY 7 OUTCOME REPORT: JUBILEE POND, RELINING AND ENHANCEMENTS

The Committee received the report of the Superintendent of Epping Forest.

28. BUFFER LANDS - ANNUAL AGRICULTURAL HOLDINGS REVIEW

The Committee received the report of the Superintendent of Epping Forest.

29. NON PUBLIC QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE

There were no questions.

30. ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT AND WHICH THE COMMITTEE AGREE SHOULD BE CONSIDERED WHILST THE PUBLIC ARE EXCLUDED

There was no urgent business.

The meeting ended at 1.00 pm

Chairman

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