

EPPING FOREST & COMMONS COMMITTEE

Monday, 9 July 2018

Minutes of the meeting of the Epping Forest & Commons Committee held at Committee Room - 2nd Floor West Wing, Guildhall on Monday, 9 July 2018 at 11.30am.

Present

Members:

Deputy Philip Woodhouse (Chairman)
Peter Bennett
Alderman Sir Roger Gifford
Gregory Lawrence
Sylvia Moys
Jeremy Simons
Verderer Michael Chapman DL
Verderer Dr. Joanna Thomas
Verderer Melissa Murphy

Officers:

Natasha Dogra	- Town Clerk's Department
Carl Locsin	- Town Clerk's Department
Colin Buttery	- Director of Open Spaces
Paul Thomson	- Superintendent, Epping Forest
Andy Barnard	- Superintendent, The Commons
Martin Newnham	- Head Forest Keeper, Epping Forest
Geoff Sinclair	- Head of Operations, Epping Forest
Gerry Kiefer	- Open Spaces Business Manager
Jo Hurst	- Epping Forest Business Manager
Alison Bunn – <i>need to check name</i>	- City Surveyor's Department
Alison Elam	- Group Accountant, Chamberlain's Department

1. APOLOGIES

Apologies of absence had been received from Deputy Chairman Graeme Smith, Caroline Haines, Alderman Gregory Jones and Benjamin Murphy.

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

There were no declarations of interest from Committee Members.

3. MINUTES

The Committee were invited to consider the public minutes and non-public summary of the meeting held on 14th May 2018.

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

MATTERS ARISING:

Epping Forest Mitigation Strategy

A Member raised a query regarding the introduction to the Epping Forest Mitigation Strategy for recreational pressure provided by the Superintendent of Epping Forest at the last meeting. Members noted that the information did not refer to air quality, as further detailed data was required to consider that matter. To provide clarity, Members resolved to remove any reference to air pollution from the minutes of the previous meeting under this item.

4. OPEN SPACES BUSINESS PLAN

Members considered a report of the Director of the Open Spaces presenting performance against the Open Spaces Business Plan and noted that 2017/18 was a year of embedding change, with a new Director and new services joining the Department. Officers informed the Committee that services continued to perform well with high levels of customer satisfaction recorded and accreditations from organisations such as Green Flag, London in Bloom and Visit England.

In response to a query regarding two surplus properties referred to in the business plan, Members were informed that both Ossulton Way and Chevening Road properties had been operated by the Hampstead Heath, Highgate Wood and Queen's Park Committee. The properties were declared surplus as part of the Corporations Operational Property Review. The Director informed Members that he was working with colleagues in the Chamberlain's department to ensure this large contribution towards Corporate savings was recognised during future negotiations relating to efficiency savings and capital projects.

A Member highlighted the 'fleet and plant vehicle' plans which were a major achievement of the department. Officers said that the use of these vehicles provided a positive impact on air quality. Electric vehicles and dual fuel vehicles were also being tested. Members noted that the Superintendent of the Commons was leading the way in implementing solar panels and using eco-friendly hybrid vehicles. The Chairman of the Hampstead Heath, Highgate Wood and Queen's Park said that the City Corporation had an overarching policy in relation to use of electric vehicles; the City was currently trialling the UK's first electric dust cart around the Smithfield area.

The Committee requested that an objective to review vehicular pollution and tackle air quality be included within the business plan. Officers said that the department had been pushing for the Corporate Procurement Policy to review the quality of vehicles under the full Fleet Review. Members agreed that a section bringing together and highlighting the green friendly policies within the business plan would be useful in showcasing the work being done by the Department.

RESOLVED – that the report be received.

5. CYCLICAL WORKS PROGRAMME

The Committee noted the cyclical works programme and were informed that the total value of the approved projects for the 2018/19 programme for the Epping Forest and Commons Committee was £1.46m, which consisted of 164 projects.

In response to a query regarding Wanstead Park, the Superintendent informed Members that the wharfing at the park was needed to reinforce the bank between the River Roding and Ornamental Pond which was subject to periodic flooding. Members noted that the wharfing proposals at Highams Park was for work to replace failing wharfing on the lake's west bank and was unconnected to previous work undertaken at the dam.

Discussions ensued regarding refurbishment work carried out on the gravel-based Jubilee Pond. Members raised concerns over the costs of the work with estimates reaching close to £1m. The Superintendent agreed to re-circulate a report to Members detailing the work carried out at this site which included costings, the successful maintenance work on the pond and the lessons learnt for future preservation.

The Chairman informed Members that currently 14 lodges required refurbishment work to guttering and this would be a costly exercise. Members noted that the City Corporation negotiated service contracts with their suppliers and Officers would endeavour to keep the costs as low as possible.

RESOLVED – that the report be received.

6. APPOINTMENT OF A VERDERER OF EPPING FOREST JULY 18

Following the untimely death in service of Peter Adams MBE, who had served as a Verderer of Epping Forest since January 1997, the Committee noted the vacancy for one southern Forest Parish Verderer.

The Committee agreed the appointment process but requested that the dates be reviewed to facilitate interviews to be arranged after 15th October 2018. The Superintendent and Town Clerk agreed to circulate proposed dates to all those Members involved in the process in due course.

RESOLVED – that Members supported:

1. the replacement of a Verderer of Epping Forest;
2. the commencement of an appointment process to select a southern Forest Parish Verderer of Epping Forest (in line with the requirements of the Epping Forest Acts 1878 & 1880) for a tenure of Office to conclude in 2020 ahead of the septennial elections of all four Verderers of Epping Forest;
3. the composition of a Working Party to consider applications for the position of a Verderer of Epping Forest; and
4. the proposed timetable for the appointment process with interviews taking place after 15th October.

7. SUPERINTENDENT'S UPDATE FOR APRIL TO MAY 2018

Members noted a summary of the Epping Forest Division's activities across April to May 2018. Of particular note to the Committee was:

- an unwelcome return to increased fly tipping figures after a spring lull;
- a successful prosecution at Chelmsford Crown Court unusually involving a 2-day jury trial;
- the restoration of Open Riding on 5 May;

- the turnout of 29 cattle on Forest Land on 8 May;
- further reductions in Floating Pennywort numbers at Perch Pond, Wanstead;
- the review of current practice in relation to root nuisance insurance claims;
- the close of a successful football season on 29 April with 2209 games played; and
- a successful presentation to Epping Forest District Council's Local Plan Cabinet Committee on the proposed Epping Forest Recreational Pressure Special Area of Conservation Mitigation Strategy.

Members requested information regarding sites where deer had been involved in road traffic accidents and asked whether warning signs were erected at these sites. Officers indicated that, many Warning Triangle signs had already been erected beside highways within Forest. As part of the new Forest Transport Strategy there was an opportunity to work with Highways Authorities to consider positioning of solar-powered illuminated road signs which may draw additional attention to this issue.

In relation to dealing with criminal prosecutions and court proceedings, Members queried whether applications under the Proceeds of Crime Act 2002 were submitted by Officers. The Committee noted that although this was a time-consuming activity prosecutions could act as a deterrent to further criminal activity. Currently, much of the Proceeds of Crime were utilised by the Police Service to fund ongoing operations. Officers agreed that there was scope to expand these applications. Officers had recently been made aware of a Department for Environment, Food and Rural Affairs (DEFRA) scheme focussing on private landowners suffering from fly tipping; Members noted that applying to this new scheme may be less onerous and more successful.

In response to a query from Members in relation to prosecutions, Officers agreed to name the prosecuted criminals in the update reports going forward.

RESOLVED – that the report be received.

8. **EPPING FOREST OUTTURN REPORT**

Members noted that the Director of Open Spaces' Local Risk budget deficit variance of £71,000 (2.72%) was mainly due to a £55,000 worse than budget position at Epping Forest. This deficit budget position had been aggregated with budget variations on services overseen by other committees, which produced a City Cash overall deficit budget position of £42,000 across all Open Spaces.

In response to a query regarding the loss of a grant for grazing equipment, Officers informed the Committee that this important equipment had been due to be grant-funded, but due to a delivery date being agreed by Procurement beyond the grant condition deadline Natural England had not permitted the funding to be granted.

RESOLVED – that the report be received.

9. **WANSTEAD & MANOR FLATS SCRUB MANAGEMENT STRATEGY**

Members received the management strategy and noted that scrub formed an important part of the biodiversity heritage at Wanstead Flats. The strategy added to the considerable aesthetic appeal of the Flats for visitors. There were, however, several substantial problems associated with scrub facilitating an environment where various forms of anti-social behaviour could manifest.

A Member stated that education was key to illustrating the importance of the habitat to the public. The Committee agreed that public information about the site should be userfriendly for it to be appreciated by visitors and abbreviations should be explained suitably. Members were informed that there were some community groups who were very actively engaged and involved locally. Officers would seek to work with these groups to help disseminate the importance of the habitat more widely. Members noted that Officers were drafting a plan relating to the improved interpretation of the south of the Forest and agreed that education was vital.

To strike an important balance between both the biodiversity and landscape value of scrub, alongside the need to actively manage rough sleeping and persistent antisocial behaviour, a revised management regime for the scrub on Wanstead Flats was proposed to the Committee.

Members noted the review of the scrub management issues on the Flats and received the changed scrub management strategy for the important biodiversity resource.

RESOLVED – that the report be received.

10. **THE JUBILEE LONDON PLANE AVENUE, WOODFORD GREEN: FUTURE MANAGEMENT PROPOSALS**

Members noted that an in-depth discussion regarding the future management of Jubilee London Plane Avenue had taken place at the recent Epping Forest Consultative Committee meeting. The Committee agreed that it was important to ensure information was communicated to the public effectively.

Members noted the main findings of an arboricultural assessment of the 89 trees on the Jubilee Avenue comprising alternating Black Poplar and London Plane on Forest Land at Woodford Green. The pollarded Poplars were near the end of their lifespan, while the longer-lived London Plane had not established well and were of poor form - these would be increasingly susceptible to Massaria Disease in the future. Members agreed that a clear tree management plan should be implemented, and Officers informed the Committee that the management plan would translate into an operational live document, complete with specific details regarding future tree management.

The assessment by Officers made recommendations for the long-term management of the Jubilee Avenue, which would require Local Authority Conservation Area consent. The extent of the required arboricultural interventions on the existing avenue suggested that the most effective method

of maintaining this landscape feature would be the staged felling and replanting of the Avenue, at a cost of £20,000 over ten years.

The report recommended that public consultation should be undertaken on the naming of the Avenue and the form and species of replacement trees, together with a public sponsorship scheme to fund the replanting. Officers were confident that the correct choices regarding the replacement tree species had been made.

RESOLVED – that Members approved:

- Public consultation on a staged approach to replacing the Jubilee Avenue to maintain as much visual continuity as possible;
- Public consultation on the choice of replacement species based on a shortlist of appropriate native hardwood species: English Oak, Hornbeam and Common Lime;
- Public consultation on whether the Jubilee Avenue should be formally renamed the Churchill Avenue given its clear association with the Churchill statue;
- The establishment of a sponsorship appeal to raise funds to meet the cost of replacement trees and their management.

11. **THE WOODFORD GREEN CHESTNUT AVENUE: FUTURE MANAGEMENT PROPOSALS**

Members noted an update on the deteriorating condition of the Woodford Green Horse Chestnut Avenue. The 191 Chestnut tree avenue first planted around 1900 by the Urban District Council - a forerunner to the London Borough of Redbridge - formed an important and much-loved townscape feature of Woodford Green and Woodford Wells and was a recognised component of both Conservation Areas.

Members queried whether the location and species of trees had been agreed. Officers said generally non-native trees were not planted in the Forest and the general commitment was to Beech Oak. Members queried whether there was a more flexibility to perhaps plant Japanese Cherry Blossom trees, which Officers said could be investigated.

Members noted that the Epping Forest Consultative Committee had voiced concerns regarding the boundaries for consultation. The Committee agreed consultation should encompass as many groups and members of the public as possible. All 84 local groups across the Forest would be consulted. Members also agreed that local press should be enlisted to assist with communicating the future management proposals and communicate the important message that immediate action was needed now to conserve the area. The Chairman suggested that links to the consultation also be communicated via social media.

RESOLVED – that Members approved:

- The joint commission with the London Borough of Redbridge of an Arboricultural Assessment of the Chestnut Avenue, considering options for the future management and possible replacement of the Avenue;
- Public consultation, alongside similar engagement on the Jubilee London

Plane Avenue, on preferred options for the future management of the Chestnut Avenue.

- The investigation of sustainable financing options for the long-term management of the Chestnut Avenue.

12. **EPPING FOREST PLAY POLICY**

Members received the Epping Forest Play Policy and noted that Epping Forest provided valued green spaces for a range of communities often replacing local authority open space provision. Consequently, requests for formal open space facilities such as play areas on Epping Forest land to service these local communities were frequent. Members considered the relevant statutory provisions and the Play Policy for Epping Forest which set out the position that the Conservators would adopt in relation to future requests of this nature.

In response to a query regarding maintenance, inspection and insurance requirements it was noted that licences with current partners addressed all these issues. Members noted that there was a relationship of trust rather than a financial bond with partner organisations with regard to any possible decommissioning of facilities.

In response to a query regarding the scope of the policy it was noted that although there were clear criteria that would need to be met by applicants this did not automatically mean that the play area would be approved. The policy was seeking to ensure that the criteria were applied and satisfied; however, clear communication about the process and meeting the consent regimes must be delivered. Members recognised that there was no part of the policy relating to the application of exceptional circumstances. A separate section regarding these circumstances would help the Committee apply the policy in an appropriately flexible manner.

Members noted that the 10-year rule stated in the policy related to the lifespan of the product considering the availability of resources to Local Authorities in the future, if the play areas could no longer be funded and needed to be dismantled.

The Superintendent summarised the discussion and informed the Committee that maintenance work agreements for the existing facilities in Epping Forest had been thoroughly investigated; Officers were satisfied that the agreements met the necessary requirements. In response to a comment regarding the Mayor of London's policy relating to outdoor play areas, the Superintendent said the policy was very relevant to Epping Forest, given that 36% of the Forest was in London boroughs.

RESOLVED – that Members approved the Play in Epping Forest Policy Statement.

13. **PROPOSAL FOR A PLAY AREA AT WANSTEAD PARK**

Members were presented with the exceptional case for the construction of a natural play area on Forest Land at Wanstead Park. The Local Authority play policy had previously identified a lack of play provision in the Ward, together

with a paucity of suitable Local Authority Public Open Space on which a play facility could be sited. The formal parkland setting of Wanstead Park was considered to be more appropriate to the setting of a children's play area.

The play area would be funded and maintained by the London Borough of Redbridge under a licence agreement. The area would complement proposals for an improved visitor offer around the Temple and meet long-standing community desires for a play area in the vicinity.

RESOLVED – that Members asked Officers and local stakeholders to prepare a detailed proposal for a play area at Wanstead Park for full consideration at a later stage.

14. **PROPOSAL FOR EXPERIMENTAL TRAFFIC REGULATION ORDER ON FAIRMEAD ROAD, HIGH BEACH IN PARTNERSHIP WITH ESSEX HIGHWAYS**

The Committee noted that the Epping Forest Transport Strategy (2009-2016) proposed the closure of selected minor roads within Epping Forest to reunite areas of Forest previously dissected by highways, making more of the Forest both tranquil and safely accessible to the public. The strategy proposal to close Fairmead Road was modified in September 2013 to leave 500m (42%) open to motor traffic to retain access to the Fairmead Oak Car Park. Over the past 5 years, the partial closure saw fly-tipping and anti-social behaviour previously experienced along the length of the road concentrated into the remaining 500 metres open to motor traffic.

Officers stated that antisocial behaviour at this site was proving to be very costly to the City Corporation. Therefore, Officers requested the introduction of an Experimental Traffic Regulation Order (ETRO) on the remaining section open to motor traffic to extend the benefits seen upon the 700m of highway closed to motor vehicles under a Traffic Regulation Order in 2012, to the entirety of the road length. This action would maintain access and improve the visitor experience, enhance protection of the SSSI (Site of Special Scientific Interest) and Special Area of Conservation, and increase safety for the Forest cattle.

Discussions ensued regarding the retention of use of Fairmead Road by members of the public with disabilities or limited mobility. Members noted that paths in the area would need to be upgraded to serve as a disability access route to Connaught Water, which is also served by dedicated parking and trails on Rangers Road. The dead-end road could be shut to vehicles but would still be accessible to horse riders, cyclists and walkers in the area. Members of the Committee queried whether there were other options which could be considered as an alternative to this suggestion. Officers stated that there were a number of alternative easy access trails that had been built and maintained to recommended standards. The access report stated that the paths located around this site did not meet the required standard for disabled access.

Members noted that the making of an ETRO was a matter for Essex County Council as the local highway authority, which must be determined in

accordance with the statutory criteria for making traffic orders, and in accordance with the statutory consultation and notification process. Officers proposed that the ETRO should be in place for a proposed 18-month period and would cost the City of London Corporation circa £2,000 for the drafting and advertising of the ETRO together with £3,000 for additional gate installation costs.

The Committee discussed the option of introducing a method for disabled members of the public and their carers to continue to access the road using a code or key fob. The Superintendent reminded the Committee that timed restrictions were not encouraged along a public highway. Members noted the costs of maintaining the route to a highway standard, but asked Officers to investigate other options which could be implemented. The Committee advised Officers to consult Essex County Council when investigating the implementation of a controlled access area.

The Head Forest Keeper informed the Committee that he had undertaken investigatory work with the local police force along Fairmead Road and a number of antisocial behaviour incidents had been encountered including rough sleeping, fly tipping, sexual activity and drug taking in the outdoors.

Members discussed a proposal by the Superintendent of The Commons to close the road during unsociable hours and allow disabled access by code or key fob during the day. The Committee considered allowing a six-month trial to close the road whilst an investigation took place into the proposal by the Superintendent of the Commons. Officers stated that a report would come back to the Committee outlining how disabled access could be maintained alongside a six-month ETRO.

RESOLVED – That Members approved:

- A request to the Highway Authority to prepare a 6-month Experimental Traffic Regulation Order (ETRO) for Fairmead Road in line with the aims of the Epping Forest Transport Strategy;
- Preparation of a report for the Committee on the ETRO in advance of the expiry of the ETRO to assess the impacts of the measure on the Forest and Forest visitors making recommendations for future action;
- Development of costed proposals, for the permanent closure of Fairmead Road as a highway for vehicular traffic, as part of the negotiated Mitigation Strategy for Epping Forest Special Area of Conservation; and
- That the ETRO should not proceed until the Committee had considered possible options available in relation to providing daytime controlled disabled access to the car park.

15. **SUPERINTENDENT'S UPDATE**

Members noted a general update on issues across the nine sites within the Commons' division. The Committee received a presentation in relation to the Kenley Revival Project and were informed that the vision for the project was "to preserve and protect the most intact fighter airfield from World War II." The area would serve as a museum without walls.

The Committee were informed that the two current challenges faced by Officers delivering the project were receiving planning consent for interpretation panels and approval of the design of signage. There were 22 signs on site subject to byelaws and existing heritage board. Members noted that the final proposal after discussions with planners was for 31 signs across the site and Officers awaited the planning decision.

Members noted that feedback was received by Officers in May 2018 that planners were concerned about the visual clutter the signage would have on the landscape and in conjunction with the proposed fence. Further feedback was received in June 2018 that the visual clutter was still apparent particularly at the RAF Kenley tribute, fuel dump and blast pen with original spine wall. It was recommended that three further signs were removed. Officers felt this request would be to the gross detriment of the stories of RAF Kenley and those who served there, which would negatively impact on visitors. Officers agreed to remove one small wing from the fuel dump area. The Committee noted that a visit to the airfield was scheduled to take place in November this year.

The Superintendent also explained the challenge facing the recently completed reconstruction and conservation works to the site's historic features i.e. blast pens and rifle range. The recently completed works have been affected by a very rare form of sulphate attack (Thaumacite) within the mortar that has had a varied but generally highly detrimental impact on the repaired/conserved elements of these structures (i.e. not the original features). The Superintendent awaits a final recommendations report from BRE (British Research Establishment) as to the causes of this event and recommendations as to a satisfactory solution.

The Superintendent has informed the Heritage Lottery Fund of this matter and they are aware that it has not been caused by poor design, specification or workmanship. Officers must now consider how best to proceed and any need for a formal extension to the HLF funded project which was due to end in May 2019. Historic England are also aware of the issues. The City's Contract Team and City Surveyor are advising the Superintendent concerning related contract/defect issues.

RESOLVED – that the report be received.

16. THE COMMONS OUTTURN REPORT

The Committee received the outturn report for 2017/18.

RESOLVED – that the Outturn Report be received by Members.

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

There were no questions.

18. ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT

Woodredon Estate Properties Update

The Committee considered a report regarding the Woodredon Estate properties. Officers informed Members that following the Corporate Asset Sub Committee approval in February 2018 to market Woodredon House, The Coach House and The Lodge for disposal, the properties had been marketed by the City's appointed property consultants Savills plc. Best offers were received on 3rd July 2018. Vacant possession of Laundry Cottage, approval to dispose of which had been obtained separately in September 2016, had only recently been achieved. This property would now be marketed by Savills with best offers to be received by end of July 2018.

Members were informed that the interest to date in relation to Woodredon House and The Coach House was from various parties either looking to convert both properties into residential apartments, retain as a single dwelling, or continued use as a care home. Interest to date for The Lodge was from the owner/occupier market, proposing to refurbish the premises for use as a single dwelling, as per the existing residential status. It was assumed that Laundry Cottage was likely to attract interest from this same market.

RESOLVED – that Members:

- Note the disposals would be subject to appropriate covenants, overage and contractual provisions as a result of the City Corporation's retention of adjoining property and Epping Forest, and these would be specified when the final disposal terms are reported for future approval.
- Note that, where access rights would be required over the City's retained property, appropriate use of any access would be granted with the ability for the City Corporation to recover relevant costs.

19. **EXCLUSION OF THE PUBLIC**

RESOLVED: 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.

Item No.
20-21

Paragraph No.
3

20. **NON-PUBLIC MINUTES**

The Committee were invited to consider the non-public minutes of the meeting held on 14th May 2018.

RESOLVED – that the non-public minutes of the previous meeting be approved as an accurate record.

21. **TERMS OF REFERENCE FOR AN EPPING FOREST AND BUFFER LAND DEER MANAGEMENT STRATEGY REVIEW**

The Committee considered and approved a report of the Director of Open Spaces in relation to the terms of reference for an in-depth review of the deer management strategy.

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

There were no non-public questions from Members of the Committee.

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

There was no non-public business that the Chairman considered urgent.

The meeting ended at 1.25 pm

Chairman

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