

EPPING FOREST & COMMONS COMMITTEE
Monday, 14 January 2019

Minutes of the meeting of the Epping Forest & Commons Committee held at
Committee Room - 2nd Floor West Wing, Guildhall on Monday, 14 January 2019 at
11.30 am

Present

Members:

Graeme Smith (Deputy Chairman)
Peter Bennett
Alderman Sir Roger Gifford
Caroline Haines
Sylvia Moys
Benjamin Murphy
Verderer Michael Chapman DL
Verderer Dr. Joanna Thomas
Verderer Nicholas Munday
Jeremy Simons

Officers:

Richard Holt	- Town Clerk's department
Laura Simpson	- Town Clerk's department
Alison Elam	- Chamberlain's Department
Michael Radcliffe	- City Surveyor's department
Nicholas Welland	- City Surveyor's department
Colin Buttery	- Director of Open Spaces & Heritage
Paul Thomson	- Superintendent, Epping Forest
Andy Barnard	- Superintendent, Burnham Beeches, Stoke Common & City Commons
Jeremy Dagley	- Head of Conservation, Epping Forest
Martin Newnham	- Head Forest Keeper
Jo Hurst	- Business Manager, Epping Forest
Gerry Kiefer	- Open Spaces Business Manager

1. APOLOGIES

Apologies received from the Chairman Deputy Phillip Woodhouse, Gregory Lawrence and Alderman Gregory Jones.

In the absence of the Chairman Deputy Philip Woodhouse the Deputy Chairman Graeme Smith took the chair for the meeting.

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

There were no declarations.

3. **MINUTES**

The Committee considered the public minutes of their last meeting on 19 November 2018.

MATTERS ARISING

In response to a Member's query the City Surveyor confirmed that the report on the Wanstead Park Parkland Plan (Gateway 1/2) project report was due to for completion in January and would be brought before the Epping Forest and Commons and Projects Sub Committees as a Gateway 2 report.

Further to the mention of pest species in the minutes, the Committee was informed by a Member that the Forest Commission's publication on pest species was a useful resource in identifying pests and encouraged those interested to consider the document. Members asked Officers to consider the promotion of appropriate linked pages on the City Corporation website.

The tender of the Deer Strategy Review had been delayed on advice to ensure that the term arrangements of academic institutions on the tender list were properly reflected in the tender process.

RESOLVED – That the public minutes and non-public summary of the meeting on the 19 November 2018 were agreed as an accurate record.

4. **BREXIT UPDATE**

The Director of Open Spaces was heard regarding implications of Brexit for the management of Epping Forest and the City Common. The Director of Open Spaces informed the Committee that he would endeavour to keep the update brief noting that the various possible outcomes of the Brexit process made it difficult to give an exhaustive list of potential impacts of the process. The Director of Open Spaces highlighted that the central impact was likely to be the loss of income received through the *Countryside Stewardship Fund* which received funding from *The European Agricultural Fund for Rural Development: Europe investing in rural areas*. However, the Director of Open Spaces explained that the City of London Corporation was in discussion with the Department for Environment, Food and Rural Affairs (DEFRA) on plans to mitigate the loss of income. A Member asked for clarification on what percentage of the City of London's Open Spaces Department's income did the funding represent. The Director of Open Spaces replied that while the funding in terms of percentage was not huge as the amount was in the region of £200,000 and £170,000 for Epping Forest and the Commons respectively it was still important to note.

RESOLVED- that the update be noted.

5. **SUPERINTENDENT'S UPDATE**

The Committee received a report of the Superintendent of 'The Commons' which provided an update on the issues across the nine sites within 'The Commons' division. The Superintendent of the Commons informed members that there had been considerable interest in the Burnham Beeches Café letting

but confirmed that more information would need to be provided in the non-public session. In addition, the Superintendent informed Members that specialist contractors will be sought to reduce risks associated with rock fall within the Riddlesdown Quarry site. A Member queried whether there was public access to the quarry and, if so, were any measures in place to mitigate the safety issues caused by loose rocks. The Superintendent confirmed that there was no public access to the quarry although a business (Optical Surfaces) operates there under license. They are aware and car parking is restricted until further notice and agreed that public safety on the City Common was a vital aim of the Open Spaces Department.

A Member queried if there had been engagement from the Open Spaces Department and related Committees with the City of London Corporation's Cultural Strategy. The Director of Open Spaces confirmed that there had been engagement and reference to open spaces, within and outside of the square mile, was present within the Cultural Strategy. A Member commented that monthly email Members received from 'The Commons' team were highly appreciated and useful for keeping the public informed of the work of the Commons team. Further to this point the Superintendent informed the Committee that a male calf had successfully been delivered on the morning of the 14th of January.

A Member queried if the Ancient Monument referenced in report had the appropriate signage present and if the contractors work had affected the monument. The Superintendent informed Members that Officers had sought consent from Historic England to allow works to the ditch and bank within the Ancient Monument that clear signage was present at the site. A Member noted the student placement at Burnham Beeches and asked if learning about the City of London was included in their studies. The Superintendent explained that the placement was connected to a university course and therefore was essentially based on land management and agricultural matters.

It was noted by Members that air quality was a fundamental concern and queried what action Officers had taken to address the issue within the City Commons. The Superintendent explained that the City of London Corporation engaged with and encouraged the relevant local authorities to address the issue of air quality within their local plans.

RESOLVED- That the updated be noted.

6. **PROPOSED NNR STATUS FOR THE COULSDON COMMONS AND HAPPY VALLEY**

The Committee considered a report of the Director of Open Spaces on the proposed Natural Nature Reserve (NNR) status for the Coulsdon Commons and Happy Valley. The Report informed Members that Officers had attended meetings with Natural England and the London Borough of Croydon, to discuss the potential for the City's Coulsdon Commons and the London Borough's Happy Valley to be declared a National Nature Reserve. Further, the report informed Members that at the most recent meeting officers from all parties agreed to develop and work towards the planned designation and seek further

approval from Member's concerning the formal 'declaration process'. Director of Open Spaces noted that the proposed NNR status for Coulsdon Commons and Happy Valley would bring them into line with many of the other City Commons who have similar status' and would advance the profile of the properties. In addition, the Director of Open Spaces explained that the proposed name for the NNR area was 'South London Downs' and commented that this name designated the area geographically but was not site specific.

A Member queried whether the position of the Royal Air Force at Kenley Airfield effected the classification of Kenley Common as an NNR and if the presence of aircraft impacted the maintenance of the site. The Superintendent clarified that airfield was only a small and entirely separate part of the common, currently owned by the MOD and that an effective management policy was in use place to mitigate the impact the airfield caused to the common.

RESOLVED- That Officers be authorised to progress the matter with Natural England and The London Borough of Croydon in order that a formal proposal can be developed and reported to this Committee by May 2019.

7. **SPORTS AND MISCELLANEOUS CHARGES**

Members noted that to further to Chairman's consent the report had been withdrawn due to incorrect information contained within the report which was too extensive to be corrected by an officer update at the meeting. The Director of Open Spaces confirmed that an updated report would be considered at the next meeting of the Epping Forest and Commons Committee on the 11th of March.

RESOLVED – that: -

- I. The report is withdrawn; and
- II. That a corrected report be produced for consideration at the meeting of Epping Forest and Commons Committee on the 11th of March.

8. **TREE PESTS AND DISEASES: OAK PROCESSIONARY MOTH URGENT UPDATE**

The Committee received a report of the Director of Open Spaces which provided Members with an urgent update on the challenges being faced due to the spread of Oak Processionary Moth (OPM) across the Open Spaces in the care of The City of London. The Director of Open Spaces noted that the OPM treatment had cost £100,000 in 2018 and was estimated to cost in the region of £200,000 this year and is likely to increase further. In addition, he explained that the OPM was already present at the Ashtead and Epping Forest but was expected to be an ongoing issue at many of the City of London Corporation's Open Spaces.

A Member of the Committee asked the Director of Open Spaces for clarification on the effectiveness of the treatment of the OPM which the department was undertaking at Epping Forest. The Director of Open Spaces outlined the treatment programme for the OPM including the removal of the moth's nests

but explained these measures were designed to limit exposure to the public and would not be able to eradicate the OPM moth from the Forest. Further the Director of Open Spaces informed the Committee that the issue of OPM was likely to have a continued presence in the Epping Forest and that public education was going to be an important part of the program. A Member noted the Statutory Plant Health Notices mentioned in paragraph 13 of the Report and asked whether the required action of the City of London Corporation would be noted in the budgetary requirement of the Open Spaces Department. The Director of Open Spaces explained that discussions had taken place, and were ongoing, with the Forestry Commission and it is possible that Statutory Plant Health Notices might not be used if the once the species becomes endemic.

A Member stated that public health was a key issue and questioned whether there was a natural remedy which could be utilised to mitigate OPM. Replying to this question the Director of Open Spaces explained that there was a species of fly which parasitized OPM caterpillars which would help to limit numbers of the OPM and potentially reach a natural balance. The financial aspects of the OPM control programme in future years are being reported to Resource Allocation Sub Committee as part of the medium-term financial planning process.

RESOLVED- That the report be noted.

9. **SUPERINTENDENT'S UPDATE**

The Committee received a report of the Superintendent of Epping Forest which provided Members with a summary of the Epping Forest Division's activities across October to November 2018. The Superintendent of Epping Forest made the following points.

Budgets

The Superintendent informed the Committee that Epping Forest was at 60% spend against a profile spend of 66%, which indicated a small underspend.

Fly Tipping

Members were updated by the Superintendent on the issue of fly tipping within Epping Forest including the number of reported incidents, specific sites of vulnerability and steps taken to increase security.

Rough Sleepers

In addition, the Superintendent informed Members of the number of rough sleepers' sites found within Epping Forest and noted that a decline in rough sleeping was expected over the winter months due to the adverse weather and the opening of seasonal night shelters.

Replying to a Member's query the Superintendent confirmed that each rough sleeper site cleared was listed as a single incident of fly tipping in the relevant statistics. In addition, a Member noted that the public and local Neighbourhood Watch Schemes were a useful resource and asked if the Epping Forest team

had appropriately engaged with them to help with the policing of fly tipping in the area. The Head Forest Keeper explained that the City of London had representatives on community policing boards in Redbridge and Waltham Forest which provided helpful information. The Member replied by clarifying that the Neighbourhood Watch was a separate body to those mentioned by the Head Forest keeper asked if there was any engagement with service which they provided. The Superintendent clarified that the Epping Forest team did involve local Neighbourhood Watch Schemes, particularly through social media posts which provided an early warning and key information for staff investigating incidents such as fly tipping. Following a query from a Member on the relative costs of dealing with different forms of fly tipping the Superintendent confirmed that asbestos, food and chemical waste were generally the most expensive forms of fly tipping, especially where this material had contaminated more general waste.

Licenses

Members were informed that a total of 28 licences for events were issued during the two months which yielded an income of £21,005.42 plus VAT.

Grazing

The Superintendent provided Members with an update on the subject of grazing within Epping Forest which included details of the new cattle handling installation at Great Gregories Farm, the visit of former Verderer and Honorary Reeve Michael Davies, the record number of grazing days and the receipt of the 'Innovative and Improved new ways of working' award to the Epping Forest Grazing Team.

Visitors and Events

Members received the Superintendent's update on a number of events which had taken place since the last meeting and noted that visitor numbers remain lower than last year. A Member questioned the whether the Epping Forest team had been appropriately involved in the Sports Strategy and if more signage would helpful for informing the public of the location of Epping Forest. Replying to these points the Superintendent explained that while the Epping Forest team had provided input into the Sports Strategy due to the Forest's geographical location, engagement with the Sports Strategies of Local Authorities bordering the Forest was also a high priority. A Member noted that the critical Committee for considering the Sports Strategy was the Education Board. Moreover, responding to the second question the Superintendent informed the Committee that a report on the matter of signage would be considered by the Committee later in 2019 and that the key issue was funding the additional roll-out of White on Brown Tourist signs.

Town & Country Planning

The Superintendent informed Members of planning developments with relation to Epping Forest and provide details of the Epping Forest District Council's full Cabinet meeting on the 18th October 2018. In addition, the Superintendent informed that hearings on the Epping Forest District Council Local Plan (LP) had been programmed for February, March and May. Members were informed

that further information on the LP would be provided at a later item on the Agenda.

Chingford Golf Course

The Superintendent informed Members of the maintenance works which had taken place at Chingford Golf Course and included information of an incident of motorbike damage occurred on the 5th green.

The success of the Chingford Golf Course was highlighted by a Member who queried whether the example set by this course being considered by the other courses in the area. The Superintendent responded by explaining the key components of Chingford Golf Courses' success and noting that while these were matters of competitive advantage these techniques had been highlighted to other courses.

Replying to a question on the Epping Forest ponds from a Member of the Committee the Superintendent informed Members that discussions had taken place with consultants on the maintenance works at the ponds with the aim to keep costs low remaining a central concern.

RESOLVED- That the report be noted.

10. EPPING FOREST DISTRICT COUNCIL LOCAL PLAN EXAMINATION

The Committee received report of the Director of Open Spaces on the Epping Forest District Council's Local Plan and the proposed engagement plan for City of London Corporation officers. The report outlined the planned attendance of officers at hearings of the 'Examination-in-Public' to ensure that The Conservators' concerns are appropriately reflected on the Local Plan, and the associated interim Mitigation Strategy. The Head of Conservation informed the Committee that since the report had been produced the mitigation proposals put forward for on-site measures in Epping Forest had been accepted and the interim Strategy approved by Epping Forest District Council(EFDC) but had still to be approved by the London Boroughs which are also competent authorities for the Epping Forest Special Area of Conservation (SAC). Moreover, the Head of Conservation commented that the interim strategy did not include provisions for the provision of Suitable Alternative Natural Green Spaces (SANGS).

A Member enquired about the nature of the concerns being expressed by the other Local Authorities involved were with regard to the Mitigation Strategy. The Head of Conservation replied that while the City of London Corporation wasn't party to these discussions, it was the opinion of Officers is that the lack of areas in which to provide SANGS and the charging of tariff costs on housing units were expected to be the key concerns. Following this point a Member queried whether the tariffs mentioned in the Report were for single builds or for developments of more than ten buildings. the Head of Conservation clarified that the tariffs were designed for housing units rather than single builds, and that the level of tariffs should not affect the overall viability of any scheme, a matter that EFDC had confirmed within its District. .

The issue of affordable housing, both inside and outside of London, was highlighted by a Member of the Committee and asked what provisions had been made within the recommendations to reflect this. The Director of Open Spaces replied that there was no clear room for movement on this issue but that a commitment to flexibility was a key issue.

Replying to a query from a Member of the Committee it was confirmed, by the Head of Conservation that the letters listed as appendices to the report were already in the public domain through earlier reports on the matter.

RESOLVED- That:

- I. The proposals encompassed in Option 17 (c)i) & ii), namely that officers attend the EiP to represent The Conservators' responses on the Local Plan, to advocate off-site avoidance measures and to respond to any new information from the Council or questions from the Inspector on other matters related to The Conservators' representations be approved; and
- II. That under the terms of the approved Memorandum of Understanding, officers continue to work with the Council and other local authorities to create a full and effective Mitigation Strategy, including consideration of off-site measures on the Buffer Lands and other sites; and
- III. That officers report back to your Committee on the outcome of the Examination-in-Public and the Inspector's findings and main modifications; and
- IV. That officers bring forward any proposed full Mitigation Strategy for Members' approval.

11. EPPING FOREST LAND RETENTION POLICY

The Committee considered a report of the Director of Open Spaces on the Epping Forest Land Retention Policy and the results of initial Negotiations with the Highway Authorities. The report provided Members background information on the policy and outlined the reasons for the lack of progress on the implementation. In addition, the report recommended to Members that the original 1:1 compensatory approach be adopted. The Superintendent updated the Committee that after the publication of the report Waltham Forest have now accepted 1:10 ratio most likely as a result of a funding deadline from TFL. In addition, the Superintendent explained that the advice of the City solicitor was that strictly adhering to a 1:10 ratio in land retention could lead to the use of Compulsory Purchase Powers to realise projects. The Superintendent recommended to the Committee that a balanced case-by-case basis was the most prudent course of action. Replying to a Members query, the Superintendent confirmed that any additional compensatory land offered would have to be immediately adjacent to current Epping Forest land.

The Chairman commented that the quality of land offered as compensatory land was a key issue to any agreement. It was highlighted by a Member that while they believed that a case-by-case basis was the correct way forward, the land retention policy should maintain a strong defence of Forest Land. Replying to a Member's query the Superintendent confirmed that Highway Improvement

Schemes in the Special Area of Conservation would require a comparable exchange of land. Members noted their agreement with the case-by-case method recommended by the Director of Open Spaces in the report but decided not to require a strict ratio on land retention provided requests.

RESOLVED- that:

- I. The revision of the Land Retention Policy approach to seek a compensatory ratio on land sought for Highway and Traffic Scheme dedications in line with the compensatory requirements of the Land Acquisition Act based upon 'no less in area and equally advantageous as the land taken' is agreed; and
- II. That Members agree that the Conservators retain the discretion to consider requests on a case-by-case basis having regard to the best interests of the charity and the previous dedication history with the Highway Authority and that any agreement must ensure that the City is not bound to agree future highway dedication requests, even if a land retention parcel has been transferred "in lieu" of future dedications; and
- III. That where Highway and Traffic Authorities are unable to offer compensatory land already in their ownership contiguous with Forest boundaries, the Epping Forest and Commons Committee may consider the purchase and dedication of Buffer Land as Forest Land as a suitable exchange.

12. FLOOD ALLEVIATION SCHEME AT HILLYFIELDS LOUGHTON

The Committee considered a report of the Director of Open Spaces on the Proposed Construction of a Flood Alleviation Scheme at Hillyfields Loughton. The report updated Members on the findings of a Surface Water Management Plan (SWMP) commissioned by Essex County and Epping Forest District Councils. In addition, the report outlined the Flood Alleviation Scheme proposed by Essex County Council and explained the reasons for recommending the scheme's adoption.

The question of the maintenance and liability of the flood defences on City of London Corporation Land was raised by a Member who expressed concern that the City of London Corporation might become responsible for the maintenance of the defences. The Superintendent confirmed that no agreement had yet been reached on the maintenance of the site and that the Comptroller and City Solicitor would be consulted on the legal basis for any such agreement.

RESOLVED- that:

- I. The use of Forest Land at Hillyfields/Pyrles Lane, Loughton as a Flood Alleviation Scheme as part of Essex County Council's Surface Water Management Plan is approved; and
- II. That the City of London Corporation enters into a formal agreement with Essex County Council for the ongoing management of the Flood Alleviation Scheme with all costs to be borne by the County Council; and
- III. That Members instruct the Comptroller & City Solicitor to undertake any necessary documentation to conclude the agreement.

13. EPPING FOREST FIRES 2018 UPDATE

The Committee received a report of the Director of Open Spaces on the subject of fires within Epping Forest in 2018. The report detailed progress made with the implementation of the 2013 Wildfire Improvement Plan and referenced the 2018 drought during which 47 there were wildfires at various locations across Epping Forest and included a major 4-day incident at Wanstead Flats.

It was enquired by a Member if there had been any engagement with the local schools and youth groups with regard to education on forest fires. The Superintendent informed the Committee that the Epping Forest team had not engaged with local schools in the manner suggested by the Member but that they were aware of the educational outreach undertaken by the London Fire Brigade. The Chairman noted the importance of education on this issue and a Member commented he believed that people were more likely to maintain the Epping Forest if they understood its value. The Superintendent highlighted that the Police Service had urged a cautious approach to engaging the public on the issue of wildfires as they could encourage an increase in 'copycat' cases of.

RESOLVED- That the report be noted.

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

A Member highlighted to the Committee that the Chairman of Open Spaces had answered a question in the Court of Common Council on the tenth of January relating to dog washing facilities on open spaces managed by the City of London Corporation. Further to this comment the Deputy Chairman added that the question allowed him to inform Members of the new opportunities for licensable activities afforded to the City of London Corporation Open Spaces under the relevant 2018 legislation. The Deputy Chairman felt that given the infrastructure investment needed to support such facilities would make the necessary investment unlikely.

A Member informed the Committee that they had received a Christmas card from the City of London School for Girls which featured a painting of Epping Forest created by a Student of the school and suggested the Committee write to student to congratulate the student on their work. Moreover, the Member highlighted to the Committee that they had been approached to nominate a volunteer who picked up litter on Epping Forest for the Freedom of the City and invited comment on these proposals. The Committee both of these proposals received the support of the Committee.

15. ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT

There is was no urgent business considered.

16. 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.

17. **NON-PUBLIC MINUTES**

The Committee considered the non-public minutes of their last meeting on 19 November 2018.

RESOLVED – That the non-public minutes of the meeting on the 19 November 2018 were agreed as an accurate record.

18. **THE BEECHES CAFÉ - BURNHAM BEECHES**

The Committee considered a report of the City Surveyor regarding The Beeches Café.

RESOLVED- that the report be approved.

19. **DISPOSAL OF PROPERTY, WOODREDON ESTATE**

The committee received a report of the City Surveyor regarding the Disposal of a property on the Woodredon Estate.

RESOLVED- that the report be noted.

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

There were no questions in the non-public session.

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

The Committee dealt with business concerning an agreement between the City of London Corporation and a local sports club.

The meeting ended at 13:29

Chairman

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