

Committee(s):	Date(s):
Epping Forest & Commons	16th January 2017
Subject: Epping Forest Buffer Land – Interim Deer Management arrangements	Public
Report of: Superintendent of Epping Forest SEF 02/17	For Decision
Report author: Martin Newnham, Head Keeper	

Summary

A series of objective scientific measures indicate that the continued increase of the Fallow and Reeves Muntjac Deer populations in South West Essex, including the 1,800 acres of City Corporation Buffer Land, are having a damaging impact on the character and wildlife value of Ancient Semi-natural and Local Wildlife Site (LoWS) woodlands; the crop yields of tenant and neighbouring farms and public safety through the rising number of deer vehicle collisions.

The 1998 Deer Management Plan adopted by your Committee for the Buffer Land estates recommended deer culling as the principle method of deer control. Since 2003, the management by culling has been undertaken by private contract. The decision to award the contract to manage the annual deer cull for 2016/17 to a membership-based stalking club has raised animal welfare, ethical and public safety concerns, supported by a 5,510 name petition. Following the 'no-fault' termination of the contract, this report outlines recommendations for the interim management of deer on the Buffer Lands by Forest Keepers.

The change in management arrangements also provide an opportunity to both thoroughly review the current approach based on the 1998 Deer Management Plan, in the light of subsequent survey work, and involve the public through consultation on the most effective way forward for deer management both within the Forest and on the Buffer Land.

The change to the current contract has financial and resource implications and, in addition to the loss of future fee-based income, it will require additional spending of £15,000 to operate the cull with in-house staff alongside the reallocation of up to 1,260 hours of operational capacity.

Recommendations

Members are asked to:

- i. approve the interim management of the deer on the Buffer Lands by Forest Keepers who are trained and qualified in accordance with nationally recognised standards;
- ii. undertake an independent review of current deer management practice. This would involve a full strategic review of deer management options for the City Corporation taking into account the main Epping Forest Buffer Land landscape objectives, to include retaining deer in the environment, protecting natural resources and enhancing landscape management objectives;
- iii. Agree that public consultation should take place on the findings and proposals of any such independent review.

Main Report

Background

1. Epping Forest and the surrounding Copped Hall Park, Woodredon and Warlies Estates which comprise the main body of the Epping Forest 'protective' 1,800 acre Buffer Lands are within the range of the 550-strong South West Essex Fallow Deer herd which moves between Epping and Harlow. A further 150 Reeves Muntjac Deer occupy individual home territories within this area.
2. In the absence of indigenous natural predators, combined with the increase in available winter food sources in the form of winter crops,, the culling of deer in southern England has long been considered necessary to limit and reverse the otherwise uncontrolled rise of deer populations. Such an approach was adopted in 1998 by your Committee towards the increasing number of deer on the Buffer Lands under a Deer Management Plan.
3. Culling – the selective reduction of wild populations - benefits the overall health of deer populations, together with the economic viability of agricultural crops and grasslands. Critically for the Buffer Land woodlands, the South West Essex deer population needs to be managed at levels which allow sufficient levels of woodland regeneration through the growth and survival of enough young tree seedlings, understory plants and shrub species.
4. Deer Vehicle Collisions (DVC) are also a frequent occurrence within Epping Forest and pose a significant risk to public safety, with an estimated 10-20 people killed nationally each year as a result of accidents involving deer. Through a Forest Transport Strategy partnership with Essex County Council, the City Corporation has in place a mandatory speed limit of 40mph or lower on 22 miles of rural roads in and around the Forest. Figures for the last recorded year saw 114 DVCs in the Epping Forest area, with the Epping to Thornwood section of the B1393 named by the Deer Initiative as one of the worst in England for DVCs.

5. Culling used as a deer management measure has the broad support of a range of similar organisations including the Forestry Commission, The National Trust, Wildlife Trusts and the Woodland Trust.
6. There are three Ancient Semi-Natural Woodlands (ASNW) on the Buffer Lands Estate – Galleyhill Wood, Spratts Hedgerow and Oxleys Wood. Such woodlands are a rare resource nationally and recognised as irreplaceable habitats by the UK Government (e.g National Planning Policy Framework paragraph 118). In addition, a number of woodlands on the Epping Forest Buffer lands are also designated as Local Wildlife Sites (LoWS) including Cobbins Brook (EP48); Oxleys Wood Complex (EP32); Rookery Wood (EP46); Little Rookery Wood (EP56); Copped Hall Green (EP45); The Selvage (EP47) and Warlies Park (EP30).
7. An annual report to your Committee on 9 July 2012, “Deer Management on the Buffer Lands” (SEF 21/12) concluded that the level of damage, by both Fallow and Reeves Muntjac Deer, to Buffer Land ASNW and LoWS woodlands was much higher than expected. The deer damage report undertaken by independent woodland ecologists indicated that the Fallow and Muntjac damage to woodlands was assessed as high. Where the lowest score achievable is 0 and the highest is 15, the Buffer Land woodlands scored high at 11 or 73% impact.
8. The assessment indicated that the level of cull targets needed to be set at a higher level. The report recommended a 30% increase on the number of Fallow Deer culled, as part of a gradual population reduction over 5 years to approximately 150 spring Fallow Deer, providing an average spring population density of 3 per 100 acres across the 5,146 acre count area.
9. As previously reported to your Committee deer browsing and grazing on the Buffer Land woodlands has inhibited woodland regeneration and the growth of ground and shrub flora. Combining the future management of the woodlands with that of deer populations, particularly through the closer coordination and control of culling operations, would help to maintain the ecological significance of this important area in the years ahead.
10. Culling by stalking on the Epping Forest Buffer Lands has been conducted by an annual stalking contract since 2003. Until the 2015/16 season the contract was held by the Cobbins Brook Deer Management Group. The culling of deer on the Buffer Lands was carried out at no direct cost to the Conservators, with the CBDMG’s four stalkers conducting the cull in return the carcasses of any deer culled, valued at approximately £12,000.00
11. Following reports made during 2014 and 2015, Members encouraged Officers to secure contract arrangements which would increase the effectiveness of the cull and consider broadening any future tendering exercise to include the commercial stalking of deer on the Buffer Land.
12. The Superintendent gave an undertaking in his report to your Committee of 6 July 2015 to market test the current stalking contract in line with City of London Procurement Service guidance and a wider review of estate contracts and licences.
13. Additional monitoring work to support the Deer Count conducted in March 2016 has indicated that the 1,800 acres of Buffer Land Estate and adjacent

farmland north of Epping Forest is providing a resource for large numbers of Fallow and Reeves Muntjac Deer, currently estimated at 550 Fallow and 150 Muntjac, as confirmed in this year's census reported to your Committees of May 2016 and Sept 2016. To improve the control of numbers, it was proposed to carefully extend shooting with a cull figure of 160 fallow deer and unlimited numbers of Reeves Muntjac Deer.

Current Position

14. A full public tender exercise was undertaken, overseen by the City of London's Procurement Service for the letting of a commercial Stalking Contract on the Epping Forest Land.
15. Culling by stalking was awarded to the Capreolus Club which has held the stalking contract on the Buffer Land since August 2016. The commercial let provided a fee-based income each year, together with the surrender of carcasses worth approximately between £3,000 to 7,000, dependent on market venison prices.
16. Following widespread public concern and adverse coverage in social and published media on the mistaken notion that shooting was being undertaken on Epping Forest Public Open Space, the City Corporation terminated the contract with Capeolus Club on 15th Dec 2016 on a 'no fault' basis, with 30 days' notice. At the City Corporation's request the Club has not shot during this termination period.
17. The Director of Open Spaces received a 5,510 name *Change.org* petition from representatives of the Epping Forest Forum on 16th December entitled 'Stop Deer Hunting in Epping Forest'. The petition states 'We do not approve of any hunting for sport and demand that this contract is reviewed with immediate effect'. The petition's accompanying text can be viewed at <https://www.change.org/p/city-of-london-open-spaces-committee-stop-hunting-deer-in-epping-forest>.

Options

18. Your Committee is asked to consider the following courses of action:
 - a. the interim management of the deer on the Buffer Lands and Deer Sanctuary by Forest Keepers under the management of the Head Keeper. This option is **recommended** as it commands the widest possible public confidence and support;
 - b. the re-tender of the stalking contract in June 2017. Given the recent public response this option is **not recommended** without further public consultation;
 - c. the employment of professional stalkers to cull the deer. This is an expensive yet effective option and will incur costs in excess of £32,000. This estimate is based on similar activity at a comparable National

Trust site. This option is **not recommended** on the grounds of cost and again the need for public consultation;

- d. consider halting the culling of all deer within the Buffer Lands with consequent increases in damage to woodlands and farm crops together with an expected increase in the incidence of DVCs;
- e. consider an independent review. Some 19 years on from the 1998 Deer Management Plan undertaken by Dr Jochen Langbein of Langbein Wildlife, your Committee is also requested to consider an independent review of the current plan and 19 years of additional study data. A full strategic review of deer management would provide management options for the City Corporation. It would take into account the main landscape objectives for Epping Forest which would include retaining deer in the environment, protecting natural resources and commercial crops, maintaining public safety and enhancing the landscape management objectives for the area. This option is also **recommended**;
- f. that public consultation, fully involving the proposed Epping Forest Consultative Committee, takes place after the independent review. This is also **recommended**.

Proposals

- 19. It is proposed that interim management of the deer on the Buffer Lands is undertaken by Forest Keepers under the management of the Head. The Keeper-based solution can be implemented within the current deer open season and commands widespread public confidence and support Recommendation a above). It also provides an appropriate period to develop a more detailed plan in the light of an independent review for public consultation (Recommendations e & f above).

Corporate & Strategic Implications

- 20. **Financial** – The termination of the contract will result in a loss of income from club fees. Additional start-up spending will be required to provide this service with in-house staff estimated at £15,000. This figure excludes staff time which is expected to range between 640 to 1,260 hours.
- 21. The cost of an externally conducted independent review of deer management is expected to cost about £5,000.00
- 22. **Risk** – Epping Forest Buffer Land has been approved by the Essex Police Service for deer shooting with rifles of an appropriate calibre. Epping Forest Keepers are fully qualified to Deer Stalking Certificate II and hold all necessary fire-arms and food hygiene certificates to legally carry out the cull. Insurance cover will be provided by City Corporation under its existing insurance arrangements. The Head Forest Keeper will ensure that annual risk assessments covering all tasks involved with culling the deer will be in place. Keepers undertaking culling on the Buffer Land and Deer Sanctuary

will be qualified to nationally recognised standards defined in the Deer Management Qualification scheme (DMQ).

23. **HR Implications:** Recently there has been a clear need to deploy the Forest Keeper team towards key problem areas, especially the growing challenges, prioritised by respondents to our visitor surveys, of anti-social behaviour on the forest including fly-tipping, rough sleeping, alcohol and substance abuse and trespass by travellers. The need to transfer a significant commitment of Forest Keeper time to the conduct of the deer cull would have an impact on the management of these other challenging issues
24. **Legal Implication** - Under Section 4 of the Epping Forest Act 1878, Deer on Forest Land are considered to be the property of the Conservators "*to be preserved as objects of ornament in the Forest*". Outside the Forest, Deer are wild animals, or *ferae naturae* under common law, and are not owned by anyone. A landowner has the right to kill or take game on his or her land or permit others to do so subject to statutory restrictions. The Deer Act 1991 restricts the killing of deer (other than Muntjac) during the close season and at night other than under licence.
25. **Media** – It is recommended that engagement with public interest groups is sought regarding the adoption of the interim solution. Although public endorsement has been given it would be prudent to communicate this back to the petitioners. Additionally, any cull work taking place will only be done by uniformed Epping Forest Keepers using City Corporation vehicles. It is recommended that decision is communicated verbally to local interest groups, via the City Corporation - Epping Forest website and through social media.

Conclusion

26. After the recent negative media coverage, public protest and subsequent termination of the Capreolus Club contract, the delivery of deer management by Forest Keepers is recommended as the option which best commands public confidence. This would be an interim solution while an independent review is carried out. Once the report is complete, a public consultation would take place which would inform the future landscape management of Buffer Lands and Epping Forest.

Appendices

- Appendix 1 - Epping Forest Forum petition regarding Deer management with comments delivered to Director Open Spaces 16 December 2016.

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