



Epping Forest & Commons Committee

Date: MONDAY, 11 SEPTEMBER 2017

Time: 11.30 am

Venue: COMMITTEE ROOM - 2ND FLOOR WEST WING, GUILDHALL

Members: Deputy Philip Woodhouse (Chairman)
Peter Bennett
Alderman Sir Roger Gifford
Caroline Haines
Gregory Lawrence
Alderman Gregory Jones QC
Sylvia Moys
Barbara Newman
Graeme Smith (Deputy Chairman)
Jeremy Simons
Oliver Sells QC (Ex-Officio Member)

For consideration of Business Relating to Epping Forest Only

Verderer Peter Adams
Verderer Michael Chapman DL
Verderer Richard Morris
Verderer Dr. Joanna Thomas

Enquiries: **Natasha Dogra**
Natasha.Dogra@cityoflondon.gov.uk

Lunch will be served in the Guildhall Club at 1pm

John Barradell
Town Clerk and Chief Executive

AGENDA

Agenda

Part 1 - Public Agenda

1. **APOLOGIES**
2. **MEMBERS' DECLARATIONS UNDER THE CODE OF CONDUCT IN RESPECT OF ITEMS ON THE AGENDA**
3. **MINUTES**
To agree the minutes of the previous meeting.

For Decision
(Pages 1 - 8)

Epping Forest

4. **SUPERINTENDENT'S UPDATE**
Report of the Superintendent of Epping Forest.

For Information
(Pages 9 - 24)
5. **WANSTEAD PARK BRIEFING NOTE**
Report of the Director of Open Spaces.

For Decision
(Pages 25 - 30)
6. **REVIEW OF RAMORUM DISEASE CONTROL IN EPPING FOREST**
Report of the Director of Open Spaces.

For Decision
(Pages 31 - 44)
7. **EPPING FOREST WORK PROGRAMME OUT-TURN REPORT 2016/17**
Report of the Director of Open Spaces.

For Information
(Pages 45 - 52)

Burnham Beeches & The Commons

8. **SUPERINTENDENT'S UPDATE**
Report of the Superintendent of Burnham Beeches & the Commons.

For Information
(Pages 53 - 60)
9. **PUBLIC SPACES PROTECTION ORDERS AT BURNHAM BEECHES**
Report of the Director of Open Spaces.

For Decision
(Pages 61 - 88)

10. **QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**
11. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT**

Part 2 - Non-Public Agenda

12. **EXCLUSION OF THE PUBLIC**
MOTION: 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.

For Decision
13. **NON-PUBLIC MINUTES**
To agree the minutes of the previous meeting.

For Decision
(Pages 89 - 92)
14. **UPSHIRE MILLENNIUM FIELD, WARLIES PARK - EASY-ACCESS PATH
REMOVAL OBLIGATION**
Report of the Director of Open Spaces.

For Decision
(Pages 93 - 96)
15. **THE ELMS / COPPINS, LOUGHTON LANE, THEYDON BOIS VARIATION TO
AGREEMENT FOR EASEMENT - FOREST ACCESS CROSSOVERS**
Report of the City Surveyor (Michael Radcliffe).

For Decision
(Pages 97 - 100)
16. **KNOLL HOUSE, BURY ROAD, SEWARDSTONEBURY - ACCESS RIGHTS**
Report of the City Surveyor.

For Decision
(Pages 101 - 108)
17. **NON PUBLIC QUESTIONS ON MATTERS RELATING TO THE WORK OF THE
COMMITTEE**
18. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT AND
WHICH THE COMMITTEE AGREE SHOULD BE CONSIDERED WHILST THE
PUBLIC ARE EXCLUDED**

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EPPING FOREST & COMMONS COMMITTEE
Monday, 3 July 2017

Minutes of the meeting of the Epping Forest & Commons Committee held at
 Committee Room - 2nd Floor West Wing, Guildhall on Monday, 3 July 2017 at 11.30
 am

Present

Members:

Deputy Philip Woodhouse (Chairman)
 Peter Bennett
 Alderman Sir Roger Gifford
 Caroline Haines
 Gregory Lawrence
 Alderman Gregory Jones QC
 Graeme Smith (Deputy Chairman)
 Verderer Peter Adams
 Verderer Michael Chapman DL
 Verderer Richard Morris
 Verderer Dr. Joanna Thomas
 Jeremy Simons

Officers:

Natasha Dogra	-	Town Clerk's Department
Colin Buttery	-	Director, Open Spaces
Andy Barnard	-	Superintendent, The Commons
Esther Sumner	-	Open Spaces Business Manager
Paul Thomson	-	Superintendent, Epping Forest
Jacqueline Eggleston	-	Open Spaces Department
Jo Hurst	-	Open Spaces Department
Alison Elam	-	Chamberlain's Department
Alison Hurley	-	City Surveyors Department
	-	
Edward Wood	-	Comptroller and City Solicitor's
Nigel Lefton	-	Remembrancer's Department

1. APOLOGIES

Apologies had been received from Sylvia Moys and Barbara Newman.

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

Verderer Michael Chapman declared an interest in matters relating to Theydon Bois as he is currently the President of the Theydon Bois Rural Preservation Society.

3. MINUTES

Resolved – that the minutes be agreed as an accurate record, subject to the customary attendance of two Verderers on the Epping Forest Joint Consultative Committee.

4. **OPEN SPACES BUSINESS PLAN ANNUAL REPORT 2016/17**

The Committee noted that 2016/17 was a year of development within the department. The programme approach gathered pace and delivered a number of successes including the new learning team, sales of surplus fleet which were invested in energy efficiency and disposals of surplus lodges. Sites have done well to continue to deliver excellent services (as reflected by our high customer satisfaction) while delivering these changes against a reduced budget allocation.

The Chairman agreed a Member request that reflecting the changed Committee membership a briefing should be provided by the Superintendent to all Committee members regarding proposals for Wanstead Park which has been on the Heritage at Risk Register since 2009.

Resolved – that the business plan be received.

5. **OPEN SPACES EVENTS POLICY**

Members noted that as part of the ongoing preparations for the passage of Open Spaces Bill through Parliament, we are required to develop a formal events policy. The report provided an update on the proposals to develop proposals and consult our communities. It is proposed the consultation takes place from autumn 2017 to early 2018 with the local Consultative Groups. This would allow the events policy to then be considered by each Committee prior to the spring.

The Director of the Remembrancer's Affairs provided Members with a brief background to the Open Spaces Bill and its passage through Parliament. The Chairman requested that a briefing paper should be provided by the Remembrancer to all new Committee members regarding the background to the Bill.

Resolved – that the report be received.

6. **CYCLICAL WORKS PROGRAMME BID - 2018/19**

The Committee noted the provisional list of cyclical projects being considered for properties under the management of Epping Forest and Commons Committee under the "cyclical works programme". The draft cyclical project list for 2018/19 totals approximately £1.46m and if approved will continue the on-going programme in the maintenance of the property and infrastructure assets.

In response to questions on the adequacy of the works assessment and the level of funding the Corporate Asset Sub-Committee is likely to award, Officers confirmed that the current 20 year plan will in future be influenced by jointly authored Asset Management Plans and that it is anticipated that the proposed programme will be approved.

Resolved – that the report be received.

7. SUPERINTENDENT'S UPDATE

Members noted a summary of the Epping Forest Division's activities across April to May 2017. Of particular note was the impact of the General Election on the passage of the Open Spaces Bill through the House of Commons; a further decline in figures for the number of fly tips; five successful prosecutions for fly tipping with fines totalling £6,464; the discovery of the wildflower Milkwort on previously grazed land at Big View; the rediscovery of Oak Processionary Moth caterpillars at Leyton Flats near Hollow Ponds; Harmful Algal Blooms at Perch Pond and the impact of Epping Forest's Special Area of Conservation designation in consideration of Local Plans for Redbridge; Broxbourne and by the four Local Planning Authority signatories to the Memorandum of Understanding on the impacts of growth.

In response to a query on the Panel Engineers Report on Large Raised Reservoirs, the panel Engineer was generally satisfied with the condition of the Reservoirs but wishes to see a decision on the Wanstead Parks LRRs regarding their provisional designation as High Risk and work proposals on the precautionary monitored leaks at Baldwins and Birch Hall Park Ponds.

Resolved – that the update be received.

8. EPPING TOWN GREEN - FURTHER REPORT ON THE IMPACT OF PROPOSED HIGHWAY IMPROVEMENTS ON FOREST LAND

The Committee noted Epping Town Green is a 2.4 acre triangular area of Forest Land located on the edge of Epping Town Centre, which is managed on behalf of the City London Corporation by Epping Town Council. Over the past 35 years, the City of London Corporation and Epping Town Council have sought the closure of the Lindsey Street spur road which crosses Epping Town Green to both better manage damage to the spur road verges by Heavy Goods Vehicles and protect the setting of the Grade II Listed War Memorial.

In order to close the Lindsey Street spur road fronting the War Memorial, Essex County Council needs to undertake junction improvements at Lindsey Street (B181) / Palmers Hill (B1393) to facilitate, the eastward and westward journeys of large vehicles between the Nazeing/Epping Green area and Theydon Mount/Ongar. The junction improvement works at Palmers Hill require approximately 45m² of Epping Forest Land to be dedicated for highway purposes. The closure of the spur road and the creation of a public footway fronting the war memorial will return to the Forest a corresponding 45m² of land therefore satisfying the Committee's policy position on seeking compensatory land for Forest Land dedicated to support Highway Schemes.

Members had instructed the Superintendent to pursue only the closure of the Lindsey Street spur road. The further report was necessary to advise the Committee that following further discussions with Essex County Council, Senior Highway Officers have reiterated that the Highway Authority can only safely achieve the spur road closure with the completion of junction improvements at Lindsey Street/Palmers Hill. Epping Town Council, who has been consulted on

this matter, provided a letter of support for the scheme as currently proposed which was distributed to Members at the meeting.

Some Members were reluctant to withdraw their previous objection unless the footpath across the Green was removed from the plans. Officers indicated that the proposed pathway was necessary to both support a strong desire line across the Green between Stonards Hill and Lindsey Street which remained wet in winter and the Remembrance Day observances. In response to a Member's question the Chairman directed that Officers ensure that the long standing proposals at Bell Common for highway widening were treated entirely separately from the Epping Green scheme.

Resolved - that Members:

- i. Approved the dedication to public highway of approximately 45m² of Forest Land at Epping Town Green, Epping in favour of Essex County Council for the widening of the junction of Lindsey Street (A) / Palmers Hill, SUBJECT TO:
 - (a) 45m² of Lindsey Street being stopped up and incorporated into Forest Land, and laid out to the reasonable satisfaction of the Superintendent
 - (b) The remaining 60m² of Lindsey Street being laid out as footpath to the reasonable satisfaction of the Superintendent, and all vehicular rights being prohibited:
- ii. Noted that the overall exchange of land is neutral with the new dedication of 45m² of Forest Land at Lindsey Street being addressed by the surplus of 45m² at Lindsey Street being incorporated into Forest Land.
- iii. Instructed the Superintendent to negotiate a care and maintenance agreement with Epping Town Council for Epping Town Green.
- iv. Instructed the Comptroller and City Solicitor to undertake any necessary documentation.

9. REVIEW OF EPPING FOREST WEDDING AND CIVIL PARTNERSHIP EVENT HIRE AT THE QUEEN ELIZABETH HUNTING LODGE BETWEEN 2015-16

Members noted the success of the decision to provide facilities for marriages and civil partnerships at The Queen Elizabeth's Hunting Lodge between 2015 and 2016. Reflecting public demand, the report makes proposals to increase the frequency and scale of weddings to generate further income ranging between £36,000 to £62,200 for reinvestment in to Epping Forest local risk budget. The report makes proposals to balance public access to the Hunting Lodge, while meeting increasing demand for ceremonies at weekends by offering more weekend opportunities and an extension of the value chain facilitating the staging of receptions on site by erecting a marquee within the under-utilised courtyard at The View. In order to meet potential demand for receptions it is proposed to obtain a full Premises Licence from the local authority.

Some Members raised concerns over the closure of the Hunting Lodge for longer periods of time over the summer months; whether there were adequate welfare facilities and byelaw compliant car parking available for guests and whether sufficient staff resources were available to accommodate the weekend

events. Officers emphasised that much of the event parking would be off-peak and confirmed that consideration would be given to licensing later parking hours to ensure that adequate car parking was available. The welfare facilities had been reviewed and been deemed sufficient, but could be supplemented by temporary facilities, Additional staff hours would be necessary to ensure that events could be properly supported. Some Members remained unhappy with the proposal and the Chairman took the decision to a vote. The decision was agreed with 7 Members voting for and 3 Members voting against the recommendation below. The Committee agreed that the Wedding and Civil Partnership Hire policy should be reviewed after a further year of operation at the end of 2018.

Resolved – that Members:

- Approved the proposal of an increase in fee associated with marriage and civil ceremonies at the Queen Elizabeth’s Hunting Lodge.
- Approved an increase to the number of ceremonies that can take place on a Friday or Saturday and an overall increase in number of ceremonies that are held on an annual basis.
- Approved the use of The View courtyard, exterior space and community room to host evening receptions and authorise the Superintendent to apply for the necessary Premises Licence.

10. EPPING FOREST CONSULTATIVE COMMITTEE

Members noted the draft Terms of Reference for a Consultative Committee. Expressions of interest to be invited as soon as possible, with the first meeting of the Epping Forest Consultative Committee to be organised for Autumn 2017. The Epping Forest Consultative Committee is to meet at least three times per year initially. After the first three sessions the Consultative Committee will review these existing terms and may put forward proposals for amendments to this Committee for consideration. The Consultative Committee will comprise of 22 members and will include representation from Chairman, Deputy Chairman and four Verderers all drawn from the Epping Forest and Commons Committee.

Officers confirmed that the meetings would need to be held in public unless there was a reason for items to be considered in non-public. The Town Clerk clarified that although it would be a public meeting it would not be a meeting for members of the public to speak; any questions would need to be raised at the meeting by Consultative Committee members only, unless the Chairman gave discretionary permission otherwise. Members also agreed that the Chairman or his/her representative would chair the meetings which would take place a minimum of three times per year.

The Committee will be supported by the Town Clerks Department and will consider reports provided by the Superintendent and his Senior Managers. Other Committee members will also be welcomed. The remaining 16 attendants must be nominated members of groups holding a specific interest in the Forest, either with large membership, a broad geographical spread across the whole Forest and with knowledge or interest in the themes of heritage, environment, conservation, recreation/sport or voluntary and friends groups.

Groups should be formal, constituted organisations, or, with discretion, working to achieve a constitution within a fixed time frame.

Members agreed with option 1 – to schedule the first meeting of the Epping Forest Consultative Committee with terms laid out herein, to commence in autumn 2017, with the Consultative Committee itself to review terms and make recommendations after its third meeting.

Resolved – that Members

- Approve the Terms of Reference for a representative Epping Forest Consultative Committee
- Approve the commencement of a selection procedure for the creation of Epping Forest Consultative Committee meetings as outlined herein.

11. REVENUE OUTTURN 2016/17 - EPPING FOREST

The Committee noted that the Director had an adverse variance on his local risk budget position of £131,000 mainly due to increased reactive works needed on invasive species, hazardous trees and investment in property maintenance. This Outturn position has been aggregated with budget variations on services overseen by other committees, which produces a City Cash overall favourable budget position of £167,000 (Local Risk) across all Open Spaces. A request to carry forward all of this £167,000 will be considered by the Chamberlain in consultation with the Chairman and Deputy Chairman of the Resource Allocation Sub Committee.

The City Surveyor's favourable budget variance of £150,000 is mainly due to a cautious approach within the Additional Works Programme with a number of works being carried forward within the 3 year work allocation. The decrease of £112,000 in recharges is mainly due to a reduction in Support Services Costs and Learning recharges.

Resolved – that the report be received.

12. SUPERINTENDENT'S UPDATE

Members noted a general update on issues across the nine sites within 'The Commons' division that may be of interest to members and is supplementary to the monthly email updates.

Resolved – that the report be received.

13. REVENUE OUTTURN 2016/17 - THE COMMONS

The Committee noted that there were no significant variances across Local Risk, Central Risk, and Recharges. The £22,000 (Local Risk) worse than budget position has been aggregated with budget variations on services overseen by other committees, which produces a City's Cash overall better than budget position of £167,000 (Local Risk) across all Open Spaces. A request to carry forward all of this £167,000 will be considered by the Chamberlain in consultation with the Chairman and Deputy Chairman of the Resource Allocation Sub Committee.

Resolved – that the update be received.

14. BURNHAM BEECHES DOG CONTROL ORDERS

The Committee noted that all Dog Control Orders (DCOs) are in the process of being phased out and replaced by Public Space Protection Orders (PSPOs). Any remaining DCOs will automatically be treated as PSPOs from 20th October 2017 – there is no requirement to take any specific action at that stage. However, PSPOs may not have effect for more than three years, unless extended. As the DCOs at Burnham Beeches came into force on 1st December 2014, they must be extended by 30th November 2017, if they are to continue in force. At the January 2017 meeting of this Committee members authorised the Superintendent to consult on extending the effect of the existing DCOs at Burnham Beeches beyond 30th November 2017 as PSPOs.

Members noted the outcome of that recent public consultation exercise. The consultation exercise was conducted in two phases both of which indicated good levels of support for extending the existing DCOS as PSPOs until 2020. An iPetition was conducted by local dog walkers that provided alternative proposals. This report sought committee's decision concerning the continued use of the existing DCOs as PSPOs guided by the outcome of the consultation exercise.

The Chairman and Members of the Committee thanked the Superintendent and his team for all of their hard work and an excellent committee report.

Resolved – that Members supported Option 1 as explained within and resolved to extend the effect of the existing DCOs at Burnham Beeches, once they have become PSPOs, for three years from 1st December 2017, and authorise the Comptroller and City Solicitor to make replacement orders.

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

There were no questions.

16. ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT

There was no urgent business.

17. 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.

18. NON-PUBLIC MINUTES

Resolved – that the minutes be approved as an accurate record.

19. BRITISH PIPELINE AGENCY UK OIL PIPELINE (UKOP) PROPOSED DIVERSION - FISHERS GREEN

The Committee considered a report of the Director of Open Spaces.

20. **FOREST LAND AT IVY CHIMNEYS - VEHICULAR CROSSOVER**
The Committee considered a report of the Director of Open Spaces.
21. **ACCESS TO GOLDEN ROW, MOTT STREET, WALTHAM ABBEY**
The Committee considered a report of the Director of Open Spaces.
22. **WAYLEAVE - ACCESS TO ELMS PARK HOMES LTD**
The Committee considered a report of the Director of Open Spaces.
23. **NON PUBLIC QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**
There were no questions.
24. **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 1.10 pm

Chairman

Contact Officer: Natasha Dogra
Natasha.Dogra@cityoflondon.gov.uk

Committee(s)	Dated:
Epping Forest and Commons	15 05 2017
Subject: SEF 25/17 Epping Forest - Superintendent's Update for June – July 2017	Public
Report of: Superintendent of Epping Forest	For Information
Report author: Paul Thomson – Epping Forest	

Summary

This purpose of this report is to summarise the Epping Forest Division's activities across June and July 2017.

Of particular note was the revival of the City of London Corporation (Open Spaces Bill) in both Houses; the installation of the first Visitor Hub Orientation panel under the Branching Out project; 13 fly tipping related prosecutions conducted during the 2 month period; further outbreaks of Oak Processionary Moth caterpillars in Epping Forest at Wanstead Flats and the adjacent City Cemetery and Crematorium and the opening of the Holly Trail Café at Chingford.

Recommendation(s)

Members are asked to:

- Note the report.

Main Report

Staff and Volunteers

1. The stockman position has been filled and joins us on 3 June from a family farm in Somerset. He took part in the events for Chairman's Lunch where he was introduced to Committee Members.
2. The Assets and Safety Manager has left and recruitment is underway for replacement with interviews planned for August.
3. Visitor Services hosted with two work experience students from Epping Forest College for a week between, 26 to 30 June. The two photography students took a variety of photographs including museum objects, a learning session and a Health Walk staging a small exhibition of their work which was put on display in the Hunting Lodge.

Budgets

4. Overall Epping Forest's spending profile is on target at 33% of budget four months in to the financial year. Preparation is underway for September Revised Estimates, including the allocation of agreed and future savings.

Weather

5. June 2017 was drier than average, with total rainfall 27.6% lower than the average for June since 1979. There were eight days of rainfall, with two days of heavier rain on the 5th (12.2 mm) and the 27th (17.4 mm).
6. July 2017 was wetter than average, with total rainfall 60.5% higher than average for July since 1979. There were 17 days of rainfall, with 11 July as the wettest day with 32.6 mm total rainfall.

Sustainability

7. In the 12 months to May 2017 electricity usage has been managed down to 74.103 KWH, 50% of the 146.964 KWH figure, compared 12 months to May 2013. This reduction has been achieved by a combination of better meter reading, changes to LED lighting, and a concerted attempt to tackling energy wastage. Waste reduction measures were the insulation of Fires, including reduction of the heating period over the last two years in the arborist drying room by turning off the heating at weekends and bank holidays, turning heating off at Warren House over the weekends and shutting down the sports pavilions out of the football season.
8. The installation of the Photovoltaic (PV) panels at Harrow Road has been completed and the feed connection to the grid will happen in early August 2017.
9. The View has maintained a Gold standard award from Green Tourism, a not for profit organisation which assesses over 2000 visitor attractions and accommodation providers in the UK within its rigorous sustainable and eco-friendly certification framework. The View has held a Gold Standard since 2013.

Epping Forest Projects

City of London Corporation (Open Spaces Bill) 2016/17 (JoH)

10. Following the election of 9 June both Houses agreed on 19 July to revive the Bill in Session 2017-19. Parliament is in recess until 5 September. The Third Reading in the House of Commons will still need to be completed before the Bill is considered by the House of Lords.

Branching Out HLF Project (LL)

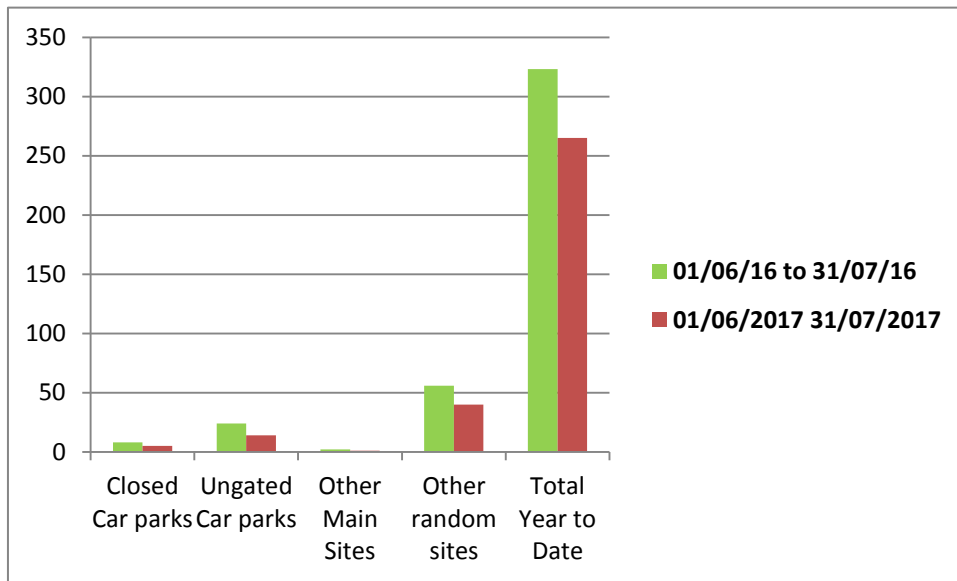
11. Visitor information signs – the first of the orientation panels was installed in time for the Lord Mayor to unveil at Chairman's Lunch on 7 July 2017. The sign was well received and the remaining orientation, interpretation, waymarked trail and

fingerpost signage are underway with installation being completed by contractors by the end of August.

12. **Gateway signage** – The gateway sign which was damaged (Ranger’s Road) has been temporarily repaired. However, a replacement sign will be required for long term durability. The final gateway at Honey Lane has been given the final go ahead by Essex Highways and will be installed later this summer.

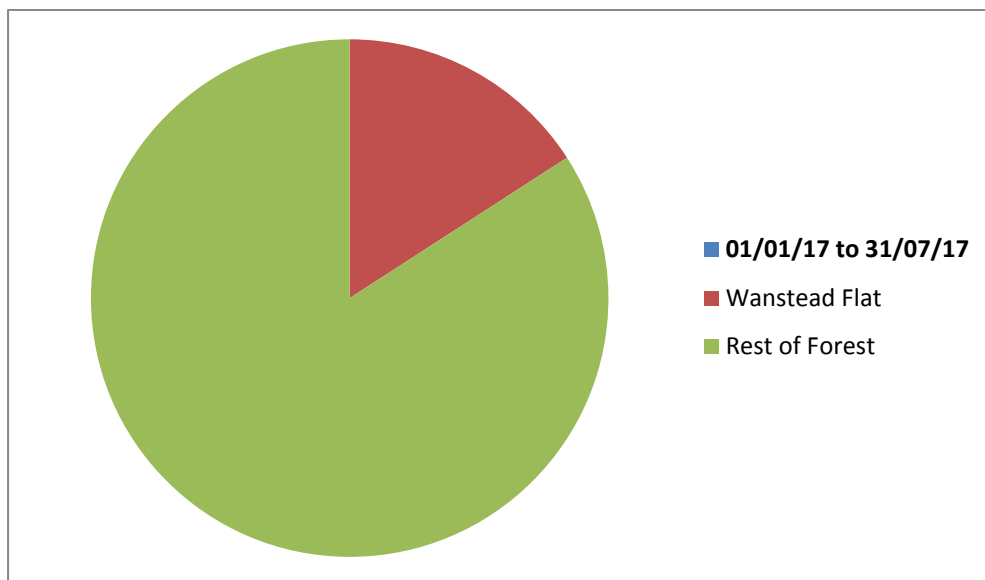
Forest Services

Fly tipping



		Closed Car parks	Ungated Car parks	Other Main Sites	Other random sites	Total Year to Date
01/06/16 to	31/07/16	8	24	2	56	323
01/06/17 to	31/07/2017	5	14	1	40	265

The number of fly tips recorded for the 7 months to July fell by 22% to 265 based on provisional records for the period. This compares favourably to a natural rise of 4% for the last recorded year. As with the 57% reduction figures provided for January – May 2017. There has been a strong 57.5% fall in July tipping in gated car parks, compared to an 15% rise in possible displacement to ungated car parks.



01/01/17 to 31/07/17

Wanstead
Flat 50

Rest of
Forest 265

Rough Sleepers

13. The Forest Keeper team continue to work proactivity with outreach organisations and LA to address Rough Sleeping within the Forest. 7 new cases were dealt with during June/July bringing the total number of cases to 22 incidents in 2017, up 29% compared to the previous year.

14. Forest Keepers continue to deal with 3 long term cases, which fall outside the normal options available and they require specialist interventions such as mental health support, immigration enforcement and dependency care.

15. LBR is will hold individual case conferences to address needs and look for long term solutions. In most cases the end result will be enforcement action.

Enforcement Activity

16. 13 prosecutions were heard during the period under report.

Date of Court Hearing	Name of Defendant	Byelaw/EPA	Court Name	Outcome	Amount Awarded
08/06/2017	ATK Autos	EPA 34 1(a) Duty of Care (Fly tip)	Thames	Guilty	Costs: £612 Fine: £3000 V/S: £110
08/06/2017	Liaqat ALI	EPA 34 1(a) Duty of care (Fly-tip)	Thames	Guilty	Costs: Nil Fine: £500 V/S £110
08/06/2017	Jepal M SHAH	EPA 34 2(a) Duty of care (Fly-tip)	Thames	Guilty	Costs: £939 Fine: Nil V/S: Nil
08/06/2017	Iftikhar A CHAUDHRY	EPA 33 (5) Duty of care Vehicle (Fly -tip)	Thames	Guilty	Costs: Nil Fine: £90 V/S: £30
08/06/2017	Zu's Sizzlers Ltd	EPA 33 (5) Duty of care Vehicle (Fly- tip)	Thames	Guilty	Costs: £579 Fine: £500 V/S: £50
08/06/2017	Tahira P RASHID	EPA 34 2(a) Duty of Care (Fly tip)	Thames	Guilty	Costs: £350 Fine: £120 V/S: £30
08/06/2017	Silviu LUPU	EPA 34 2(a) Duty of care (Fly-tip)	Thames	Guilty	Costs: £450 Fine: £200

					V/S £30
08/06/2017	Ana M STOCIA	EPA 34 1(b) Duty of care (Fly-tip)	Thames	Guilty	Costs: Nil Fine: £100 V/S: £30
08/06/2017	Marian I LUPU	EPA 34 2(a) Duty of care (Fly-tip)	Thames	Guilty	Costs: £451 Fine: £1200 V/S: £40
08/06/2017	Christopher KUMADIRO	EPA 34 1(a) Duty of care (Fly-tip)	Thames	Guilty	Costs: £699 Fine: £300 V/S: £30
08/06/2017	Amanullah AZIMI	EPA 33 1(a) Deposit of Waste (Fly-tip)	Thames	Guilty	Costs: £626 Fine: £400 V/S £40
08/06/2017	Qasim JALIL	EPA 34 1(a) Duty of care (Fly-tip)	Thames	Guilty	Costs: £313 Fine: £120 V/S: £30
07/07/2017	Modinat A GABDAMOS I	EPA 34 2(a) Duty of care (Fly-tip)	Thames	Guilty	Costs: £539 Fine: £529 V/S: £52

Totals of above table

Costs	Fine	Victim Surcharge
£5,558	£7,059	£582

Licences

17. A total of 34 licences for events were issued during the two months being reported, which yielded an income of £3,049.00 plus VAT. 55 licences were issued during the same period in 2016 (income of £24,955.66 inclusive of one compound licence totalling £10,500). The reduction in income is due to a drop in film and compound licence transactions.

Bushcraft and Community Engagement

18. Fulfilling National Curriculum Key Stage 2 History Objectives, Stone Age Man education sessions were delivered for Wanstead Church and Bangabandhu Primary School. These included National Curriculum linked shelter and fire lighting Bushcraft sessions delivered by Forest Keepers and Bushcraft Volunteers.
19. Volunteer Community Groups coordinated by the Forest Keepers continue to meet monthly to work across the Forest including Tidy Our Flats, Wanstead Flats Litter Pickers, OWL (Hollow Ponds) Highams Park Snedders and Tidy Tarzy.
20. Local Secondary Schools volunteered across the Forest as part of their Enrichment Week. These included Normahurst School on Chingford Plain, 14 June, Holy Family at Lords Bushes, 12 July and St Johns, Epping on Sunshine Plain, 13 July.
21. Local young people from Waltham Forest and Redbridge have begun their National Citizen Service (NCS) Challenge and will be volunteering during July and August. This is the sixth year that the NCS Challenge has successfully worked in partnership with the Forest Keepers.
22. A new project has been set up with Epping Forest Community Payback Team who began repainting Way marked Trail markers in July and will complete practical conservation work throughout autumn and winter on Project Nightingale.
23. Public Engagement Events coordinated by the Forest Keepers have included: Junior Angling Day 8 July at Theydon Green Pond, Tarzy Woodfest 17 July, Family Bike Ride 23 July and Highams Park Lake Family Pond Dipping 29 July. All were fully booked with one of the highlights being the Tarzy Woodfest which included the Mobile Elevated Work Platform (MEWP) rises and Children's Tree Climbing Activities which were delivered by our Conservation Arborists.

Unauthorised Occupations

24. Forest Keepers attended 3 unauthorised occupation events at the following locations:
- 28 June 2017 – Wanstead Flats – travellers arrived at 17.00hrs. There were 4 caravans with associated vehicles. The travellers had liveried vehicles advertising arboriculture. Forest Keepers issued notice to quit land. Traveller's length of stay was 1.5hours. Rubbish left. Estimated costs to Epping Forest were £480.
 - 13 July 2017 – Theydon Bois Green & Barn Hoppitt (same group). Travellers arrived at Theydon Green. Forest Keeper team in attendance. Travellers given

notice to quit land. Traveller group left Theydon and drove to Barn Hoppitt. Forest Keepers followed and removed them from Barn Hoppitt. The entire incident to remove from Forest Land and to ensure no further incursion took 2 hours with an estimated costs £1100. No rubbish left on site.

- 26 July 2017 – Pyrles Lane, Loughton. 7 caravans, horses, cars and a campervan. Travellers occupied both Epping Forest Land and land managed by Loughton Town Council. Forest Keepers issued notice to quit land. Travellers were non-compliant and resistant to move. Police response took 6.5 hours. Travellers were vacating the site as the police arrived. Forest Keepers were present at all times and did suffer minor assault in the form of excrement and stones thrown at vehicles. Rubbish left but on Loughton Town Council Land. The incident took 7 hours. Epping Forest incurred costs for staffing and operating amounted to £900.

Heritage; Landscape and Nature Conservation

Biodiversity

25. The highlight of this period was the two-day conference co-hosted by Epping Forest Officers and the Ancient Tree Forum (ATF) and held at Gilwell Park on 13th and 14th July. The conference attracted more than 150 delegates over the two-day period from across the UK and from several European countries. This conference included the signing of a Concordat between CoL and the ATF to promote the conservation of ancient trees. This received positive local press coverage.
26. The key-note presentation on Day two was given by the Forestry Commission's Principal Pathologist and examined the current and future threats to ancient tree populations from tree diseases. The afternoon sessions of the conference saw tours of the Forest's different wood-pastures and concluded with a presentation in the field by the eminent mycologist Professor Lynne Boddy (Cardiff University)
27. A further outbreak of Oak Processionary Moth Caterpillars (OPM) was discovered with two new nests sites being found on Wanstead Flats. One in the area of the Dell and the other close to Aldersbrook Road changing rooms. The Forestry Commission are aware of these two new locations and the Operations Teams are working with contractors with a view to removing the nests by hand. Officers at the adjacent City of London Cemetery have also found eight OPM nests this year in their grounds.
28. Pheromone traps for monitoring Oak Processionary Moth were set up at the end of July at various locations throughout the Forest. The 22 traps are targeting areas with high public usage. The traps are checked every two weeks and will run for approximately eight weeks. The City Cemetery & Crematorium Team is working closely with the Forestry Commission's own monitoring programme, which has also set up pheromone traps (16) within central and northern areas of the Forest.
29. Surveys for Sweet Chestnut blight are currently being undertaken by the Biodiversity Officer and the Forestry Commission after this disease was

discovered at a site in southeast London. The disease, caused by the fungus *Cryphonectria parasitica*, causes foliage to wilt, dieback of branches and cankers to develop on the tree surface, which may eventually kill the tree. This pathogen has caused severe epidemics resulting in death and dieback of American sweet chestnut (*Castanea dentata*) in North America and European sweet chestnut (*C. sativa*) in continental Europe.

30. The regrowth from felled Rhododendron plants that were infected with Ramorum Disease (*Phytophthora ramorum*) in 2016 at the Warren Plantation is showing signs of re-infection, which means the disease is now in a cycle at this site. Re-infected plants and the stumps will now be burnt-out to control the disease.
31. Butterfly surveys within the Forest are indicating that both White Admiral and Purple Emperor numbers are increasing. Transects within Essex are also showing a population increase for these two species. Another species on the increase within Essex is Marbled White. Although, an established population has not been confirmed, sightings for this species within the Forest have been at their highest this year. It was also an excellent early summer for Common Blue the first brood of which produced more adult males across the central grasslands of the Forest than had been seen for several years.

Agri-environment Schemes

32. Contracts were put out for tender to deliver habitat works for the Higher Level Stewardship Scheme. These will be awarded in August 2017 and the work will start from September 2017 onwards across 8 sites.

Grazing

33. Invisible fence grazing has been a continued success throughout the summer months enabling the cattle and the public to co-exist on the busy open spaces within the Forest. The grazing team has been busy getting a number of sites ready for early August that will see a large proportion (>65%) of the herd grazing on Forest land, including the newly-fenced Trueloves. During June and July up to 29 cattle have grazed across Chingford Plain, Fairmead, Whitehouse, Almshouse and Sunshine Plains. This figure will rise to nearly 70 cows for the remainder of the year.
34. Hay has been cut and baled throughout July in preparation for over-wintering the increased herd with only a few flower meadows left to cut during August. The hay
35. Natural England have approved a 60% match-funded capital bid for a fixed livestock handling facility at Great Gregories which is planned to be installed this year. The handling facility will improve the welfare and safety of both staff and the animals.
36. An external grazer from Hertfordshire started grazing over 200 of his cattle at Copped Hall Deer Park and 39 Acres fields at the beginning of June under a grazing licence, which has both yielded a small income and will allow more City of London cattle to graze the Forest sites in late summer.

Heritage

37. Natural England have granted part-funding for the delivery of a Parkland Plan for Copped Hall. The funding will cover 80% of the costs, with an additional small contribution from the Heritage Estate Team in City Surveyors. The work is due to start in August 2017.
38. Contractors Place Services are completing the final drafts of two Conservation Statements for Paul's Nursery and another for the Cloister (TE Lawrence) Hut.

Land Management

Town & Country Planning

39. Officers commented on 14 applications during the period in question. The main application of interest is a pre-application for 7 dwellings at Coopersale Common. Officers have worked closely with Natural England on the response to this application, citing the piecemeal pattern of housing allocations and how this is manifested in the eroding of the Green Belt across a wide area.
40. Officers from both organisations emphasized that such potential adverse impacts of air pollution, increased recreational pressure and urbanisation of the Forest edge cannot be assessed at a project-by-project level; they must be tackled at the level of the Local Plan.

Local Plans

41. There has been a continued high level of activity in relation to Local Plans. The Head of Conservation met Natural England officers, on a number of occasions during this period, to work on responses to conservation concerns relating to Local Plan housing growth proposals. A joint letter from the City of London (signed by the Open Spaces Director) and Natural England (NE) was sent to Epping Forest District Council (EFDC), and the other three local authority signatories to the Memorandum of Understanding (MoU), on 28th June. In the letter the Director and NE raised concerns about the lack of progress by the authorities towards evidence gathering for the development of a mitigation strategy for the impacts of proposed development on Epping Forest SAC.
42. Following a response from EFDC the issues raised by this letter were discussed in some detail at a Duty-to-Co-op and MoU meeting at EFDC Offices on 11th July. Although disagreements remained there was progress towards evidence gathering including preparation for a visitor survey to look at recreation pressures and impact of the projected large resident population increases with 10km of the Forest and the formulation of an outline proposal for an Air Quality Action Plan. These two evidence gathering initiatives will be developed and discussed at further meetings planned for August and September.
43. In the meantime, a report was commissioned from Footprint Ecology to provide a summary of housing growth around the Forest since 2003 and set the proposed new housing growth in context.

44. At the London Borough of Redbridge Local Plan Examination in Public the Inspector requested modifications be made to the Local Plan in relation to the protection of Epping Forest SAC. These modifications relate to the text under-scoring Policy LP39 on Biodiversity and now require the local authority to work with the Conservators on monitoring and mitigation management for any impacts that are foreseen from the proposed development growth in this London Borough.

Chingford Golf Course – Holly Trail Café

45. A 3 year lease for the Holly Trail Café has been granted to Sharron Norris from 20th July 2017.

Land Registry

46. Following receipt of Counsel's Opinion (Elizabeth Fitzgerald – Falcon Chambers 27th July 2017) steps are to be taken to implement the initial recommendation in the Counsel's advice, which is to apply to the Land Registry for a first registration of the remaining unregistered land at Broomhill Road.

Operations

47. North London Open Spaces have treated our Giant Hogweed and Japanese Knotweed for the second year. This co-operative work is bringing savings from the alternative of using contractors and strengthening cross-divisional working.
48. North London Open Spaces have treated our Giant Hogweed and Japanese Knotweed for the second year. This is bringing savings from using contractors and strengthening cross-divisional working.

Habitat Works

49. Wood-pasture Restoration and Management – Arb teams have continued to progress restoration work in Barn Hoppit, Walthamstow Forest and Debden Slade through July and August. The expanded 2017/18 contractor wood-pasture restoration programme was tendered during this period.
50. Wanstead Park: Floating pennywort control continues to progress well with very little evidence of it now on the lake. The Heronry Pond has now been returned to normal levels. The intention is that we will start to let water from the Perch pond into the Ornamental Waters from October onwards. This will cause some changes to water levels in the Heronry and Perch over that time but will lead to the gradual restoration of water level in the Ornamental waters.

Risk Management Works

51. Highways Verge Vegetation: Contract cutting of the highway verges is booked to commence in late August. In house arborist teams have cut the sight-lines for the main paths where the exit onto the highway.

52. Tree Safety – Arborist teams continue to work through the safety works program identified by our consultants.

53. Fire Safety – We have completed to cuts of the firebelts this year.

54. Vegetation Against Property (VAP): We have had to respond to a number of potentially large claims during July and August. Three relatively large trees were felled adjacent to Whitehall Lodge, Bentley Way and we undertook two CAVAT assessments of trees queried by insurers at Endlebury Way and Newlands Road.

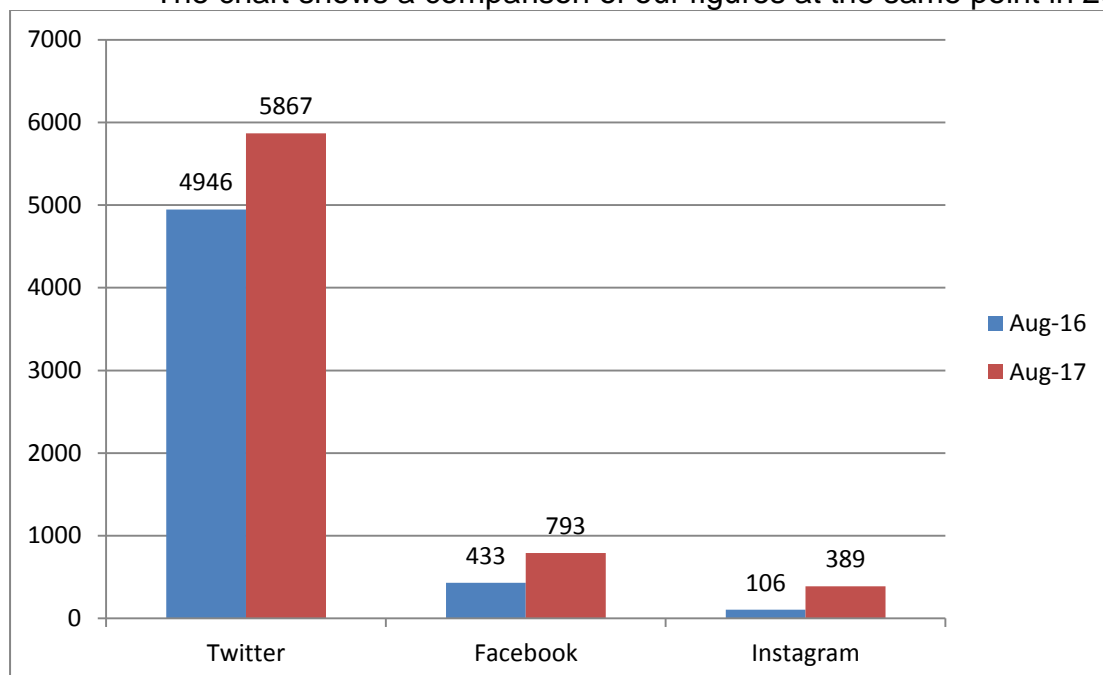
55. Capital Asset Value for Amenity Trees (CAVAT) provides a method for managing trees as public assets rather than liabilities. It is designed not only to be a strategic tool and aid to decision-making in relation to the tree stock as a whole, but also to be applicable to individual cases, where the value of a single tree needs to be expressed in monetary terms. In the case of VAP it helps those involved to identify the most appropriate strategy for responding to trees potentially impacting buildings with , for example, trees assessed at a high value requiring greater evidence to justify the need for interventions on the tree.

Visitor Services

Communication and Information

56. As of 2 August 2017 our social media following is:

- Twitter followers: 5,867 (18.6% year on increase)
- Facebook likes: 793 (83.1% increase)
- Instagram followers: 389 (267% increase)
- The chart shows a comparison of our figures at the same point in 2016



57. The summer edition of Forest Focus, featuring Prince Harry's visit to Epping Forest, was very well received and successfully distributed via our Visitor

Services team. For the first time an e-zine version of the magazine was distributed which greatly improves the look and reach of the online version. Work is almost complete to the autumn edition of Forest Focus which will promote the Epping Forest Walking Festival.

58. The Head of Conservation, Dr Jeremy Dagley, has had two 'Country Diary' articles printed in The Guardian, in addition to the usual 'Nature Notes' monthly piece included in the local Guardian Group publications. Essex Life has included in its monthly article a feature promoting Open Air Theatre.
59. Adverts were placed in the Primary Times publications (East London and south west Essex) for the summer, which included free editorial pieces.
60. A successful experiment with Facebook advertising resulted in improved reach promoting events (Open Air Theatre) and an increase in ticket sales.

Chingford Golf Course

61. The revamped Golf shop is now fully open, revamped and stocked. Products are selling well.
62. The wet summer has seen fewer players than we would have liked. The introduction of the new 'loyalty' scheme has not yielded the anticipated early returns, but will take some time to embed key promotional messages.
63. The Holly Trail café opened for business on 21 July and has been busy despite the poor weather. The café compliments the 'hub' of the Chingford Golf Course area and is providing additional reasons to visit.
64. The Cycle Hire unfortunately suffered another attempted break in causing several hundred pounds of damage to access doors. The perpetrators were scared away when the new alarm system was set off and CCTV images of the incident have been made available. .
65. The Cycle hires business reports doing well until the summer holidays and the start of wet weather. We are planning to undertake more joint marketing of the 'hub' from the autumn.

Visitor Services Events

66. Exhibition at Queen Elizabeth's Hunting Lodge: Forest Charter 800 for all, 8 July to 6 October - This exhibition covers all three floors of the Hunting Lodge and includes specially commissioned illustrations of the main clauses of the 1217 Forest Charter. Drop in activities and a handling box about deer provide interactivity for families particularly over the summer holiday period. Visitor Book comments: 'Wonderful, a glimpse of the past'; 'Very interactive and interesting'; 'I loved all the drawings'.
67. The People's Forest: Explore the sounds of the Forest walk, 30 July - A walk with artist Gayle Chong Kwan and a sound recordist, attended by a group of 10 participants, as part of the larger art project led by Gayle supported by the Arts Council, Barbican and William Morris Gallery.

68. The People’s Forest and Epping Forest stall at Walthamstow Garden Party, 15 and 16 July, a major weekend event at the William Morris Gallery, supported by the London Borough of Waltham Forest, Barbican and other funders. Organisers estimate a total of 35,000 visitors attended over the weekend. EF staff distributed 200 copies of Forest Focus to attendees, the majority of whom had not visited Epping Forest and sold maps and guides of the Forest. Staff interacted non-stop with visitors displaying and chatting about the Forest using props from the museum collection including cow horns, antlers and historic cattle brands. Gayle Chong Kwan’s community art installation, a wooden Epping Forest pollard sculpture with contributory tree house models created by the public was in a prime position just in front of the William Morris Gallery entrance and would have been passed by all 35,000 attendees.

69. Paws at The View, Sunday 25th June: This event was part of the Forest Charter series of events with over 500 in attendance. 90 dogs were entered in to the various categories, which included ‘Best Forest Charter Dog’. Goddard Vets sponsored the event and there was in-kind support from Chews Dog training Club, who demonstrated a number of arena displays of obedience and agility and Frank Walker, who held a ‘Gun Dog’ training display on our behalf. Overall profit of the event was £597.35

70. The Comedy of Errors, Friday 7 July: First of three Illyria productions at The Temple, Wanstead Park. With 160 ticket sold via our online booking system and tickets on the gate, this was a very well received production, with a profit after production costs of £748.40.

71. Wind in the Willows, Sunday 9th July: Our first bespoke ‘dynamic’ theatre performance based at Barn Hoppitt. We had two performances, both starting off with a family picnic and craft activities provided by The Theatre merchants and finishing with an all cast dance, this interactive performance saw 170 tickets sold.

72. With all events now sold online, we are now able to record valuable data about who is booking events and are able to interact via the booking site to gain feedback on events and activities.

73. Visitor Numbers

	The View	VC	The Temple	QEHL	Total No
June	4018	1790	513	2861	9182.00
July	3942	2103	465	2599	9109.00
	<u>7960</u>	<u>3893</u>	<u>978</u>	<u>5460</u>	<u>12831.00</u>

74. Income from Visitor Centres

	The View	VC	The Temple	Total
June	£5,211.55	£763.14	£146.47	£6,121.16
July	£7,951.95	£1,271.17	£246.83	£9,469.95
	<u>£5,211.55</u>	<u>£763.14</u>	<u>£146.47</u>	<u>£6,121.16</u>

75. Spend per head at Visitor Centres

	The View	VC	The Temple
June	£1.30	£0.43	£0.29
July	£2.02	£0.60	£0.53

76. Visitor Numbers (and % increase / decrease to previous year)

	Total 16	Total 17	Decrease/Increase	% Difference
June	5978.00	9182.00	3204.00	>53.6%
July	8807.00	9109.00	302.00	>34.3%

Major incidents

77. There were no major incidents during this period.

Appendices

- Appendix 1 – None

Paul Thomson

Superintendent of Epping Forest

T: 0208 532 1010

E: paul.thomson@cityoflondon.gov.uk

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Committee	Dated:
Epping Forest and Commons Committee	11 September 2017
Subject: SEF 21/17 Wanstead Park: - Briefing note for Members	Public
Report of: Director of Open Spaces	For decision

Summary

The City of London is the primary landowner for the Wanstead Park Grade II* Registered Park and Garden. In 2009 Historic England placed it on the Heritage at Risk Register. Working with the three co-owners of the registered Park and Garden a parkland plan is being developed by consultants to help with securing the removal of the park from the 'at risk' register.

This report provides an update on the Parkland Plan development progress at Wanstead Park since last reporting to your committee on the 15 September 2015 and also outlines the proposed process to continue to progress the Parkland Plan. It is recommended that an outline (Gateway 1/2) project proposal be submitted to the Project Sub Committee for autumn 2017

Recommendation(s)

Members are asked to:

- Agree that Gateway 1 and 2 reports be submitted to the Corporate Projects Board and Project Sub-Committee with outline project proposals seeking to achieve the removal of Wanstead Park from the Heritage at Risk Register.

Main Report

Background

1. Wanstead Park was a grand house, gardens and estate dating from the 1500s which enjoyed the patronage of both royalty and the aristocracy for over 500 years. The Park is considered to be London's greatest surviving designed waterscape. At its most extensive (circa 1800) there were nine artificial lakes within the Park. Five lakes remain today and form a cascade with the lower four lakes administered by the City of London. Following a spectacular decline in the 1820s followed by 60 years of neglect, a substantial proportion of the Park and Out Park were added to Epping Forest by City Corporation acquisitions between 1876 and 1880. Other parts of the Park were later purchased by London Borough of Redbridge and the Wanstead Sports Ground Limited.

2. The Park is listed as a Grade II* – ‘a garden of special interest’ - Registered Park and Garden by English Heritage (now Historic England).
3. The Park was declared at risk by English Heritage in 2009 due to concerns that the designed landscape was in poor condition, divided under separate ownership and management, and was at risk of further decline. Historic England has indicated that to achieve the removal of the parkland from the Heritage at Risk Register the following needs to be in place:
 - a. A Parkland Plan encompassing the entire extent of the Registered Park and Garden;
 - b. An indication of a clear change in the trajectory for management including proposals for addressing the management of the cascade and identified heritage assets;
 - c. Some evidence of implementation to demonstrate commitment, with the recent vegetation works around the Grotto cited as a good example.
4. A Wanstead Park Steering Group (WPSG) was established in 2013 to explore the potential for removing the RPG from the ‘at risk’ register. Under the auspices of the WPSG the consultancy LDA Design was engaged in November 2014 to undertake a review of the knowledge and evidence base on Wanstead Park and to provide direction for future planning in the Park. LDA were tasked with establishing a consensus within the partnership’s key stakeholders over the scope of works that should be included in future landscape conservation and regeneration plans at the park. The core focus of the plan would be to identify regeneration works suitable to ensure that Wanstead park is removed from the ‘at risk’ register whilst satisfying the criteria of the HLF and Big Lottery Fund Parks for People programme.

Current Position

Parkland Plan

5. Draft proposals for the future management of the Park were put out for public consultation on 23 February 2015. 272 responses were received to the questionnaire; 194 via an online response form and 78 using paper questionnaires and four organisational responses from; English Heritage, the Friends of Epping Forest, Vision RCL and the Wren Wildlife and Conservation Group. Broadly speaking there was public support for proposals to improve public access and to address water management issues while ensuring that the park retains its existing natural character. Concerns were expressed about the potential for over ‘over restoration’ of the Park as a formal designed landscape.
6. Following public consultation LDA produced a draft Wanstead Park Conceptual Options plan in April 2015 which identified activity proposals into three categories as follows:
 - a. *Priority Projects*: Activity which should be addressed in the next 5-7 years;

- b. *Longer Term Priorities:* Where resource and planning needs or the project precedence require a longer time frame of 7 to 15 years
 - c. *Possible Future Aspirations:* Desirable as future aspirations of 16+ years
7. Once the proposed 5-7 year Priority Projects were compiled it was evident that the scale of resources required meant there was a need to further prioritise this activity to a scale in line with potential funding opportunities. The Heritage Lottery and Big Lottery Fund's joint 'Parks for People' programme is essentially the only significant source of external funding available and consequently the £5million limit on individual projects in this program was used as a basis for framing work packages.
 8. The current plan proposes three different themed work packages. Two of the packages are framed to meet the objective of getting Wanstead Park off the 'at risk' register. These projects would require substantial capital funding and have been framed to sit within the Lottery Parks for People programme. A third package has been framed which seeks to achieve key improvements but does so largely working within existing resource levels.
 9. The three themed work packages are still in the early development stage and further work to refine and cost these is pending. The three packages are outlined below with package 'a', Wanstead for All, likely to be proposed as the best fit with current needs and opportunities:

Possible lottery funded projects

- a. *Wanstead for All:* This package focuses on substantial access improvements across the park alongside progressing research on hydrological issues as required under the abstraction licence and some largely vegetation management works on protecting and interpreting heritage earthworks. The major investment project would look at improvements to the Temple so that it could be better used as a visitor 'hub' with a much improved catering offer which it is hoped will bring future income generation benefits.
- b. *Creating a sustainable and resilient waterscape:* This would seek to take forward improvements to the significant water management issues at the park with the possible major investment project focused on the relining of the Heronry. Some works to improve paths and earthworks, especially those associated with lake system, would be included.

Existing resources funded project

- c. *Improving Access, Management and Amenity:* This package would seek to focus existing resources onto the key improvement priorities. Vegetation management to open paths and views is a key need and something that could be integrated within future work activity for work teams and contractors. Similarly, phased investment in upgrading signage could be integrated within wider EF work to improve Forest wide signage and

interpretation. This work package in isolation would not be sufficient to remove the parkland from the 'at risk' register.

Parkland Plan Revision

10. The May 2016 Draft Parkland plan is currently being revised to update for additional considerations that have been identified through discussions and activity over the last year. Key additional considerations are:

- a. *Lake system*: Shift of emphasis towards a 'sustainable' lake system and not simply a like for like replacement. To include: An assessment on the potential role for wetland habitats such as reed beds to reduce the need for water; increased emphasis on the enhancement of the lake system for biodiversity and improving the resilience of the lake system to cope with problems such Blue Green Algae and invasive weeds.
- b. *Parking*: The increasing establishment of Controlled Parking Zones (CPZ) has meant that we need to consider more parking requirements for day to day visitors and also for event parking.

Next steps

11. With the Parkland Plan nearing completion approval to progress the development of any project proposals at Wanstead Park needs to be sought via the City Corporation's gateway approval process.
12. It is proposed that Gateway 1 (Corporate Projects Board) and Gateway 2 (Projects Sub-Committee) reports proposing a project to remove Wanstead Park from the 'at risk' register be submitted in autumn 2017. This will enable the subsequent development of detailed project proposals suitable for taking to the Lottery's Parks for People programme. Further progress will be determined by subsequent gateway approval processes.

Corporate & Strategic Implications

13. Open Spaces Department Business Plan: The LDA Project Plan exercise and background research follow from three of the Open Spaces Department's Strategic aims of: providing high quality accessible open spaces, involving communities in site management and adopting sustainable working practices.
14. Corporate Plan 2013-17: The LDA Project Plan exercise and background research meets the objective of the Corporate Plan to provide valued services to London and the nation.
15. Statement of Community Involvement: The City of London has consulted on the preparation of the original Conservation Statement for Wanstead Park (2011) and in 2015 consulted on the LDA Project Plan.

Implications

16. **Financial Implications;** Subject to Gateway approval any final Project Plan will need to be developed to a RIBA Stage 2 Concept cost estimate prepared for all the Priority, Longer Term, and Future Aspirations projects.
17. The HLF's Parks for People programme requires matched funding from the City of London. The matched funding proportion varies across projects, however benchmarking with similar projects suggests that Lottery funding would be c70% and that there would be a requirement of 30% match funding contribution from the City of London, local fundraising and project partners.
18. Definitive overall project costs have still to be compiled however as a guide if the project costs are at the maximum possible of £5 million it is likely that the City of London's matched funding requirement will be in the order of £1.5 million.
19. A financing plan is still to be developed and will form part of the Gateway application process however it is anticipated that a bid would comprise a mix of the following elements:
 - a. *City of London, Epping Forest Local Risk* -Efficiencies delivered through the Service Based Review and earlier savings rounds have reduced the potential for a Local Risk contribution.
 - b. *City of London, Epping Forest:* - Request to Epping Forest Fund, currently standing at £0.5 Million with additional capital receipts anticipated, though the Department of Built Environment is anticipating a call on the Fund for capital to repair Baldwin's and Birch Hall Park Ponds.
 - c. *City of London Combined Work Programme:* Utilising resources identified for Wanstead Park activity by City Surveyors and other Departments as part of the matched funding package.
 - d. *City of London:* A request for additional finance to the Resource Allocation Sub (policy & resources) Committee will need to be made as part of the Gateway process
 - e. *Volunteer Time:* Valuation of volunteer time contributed by the Friends of Wanstead Parklands and others.
 - f. *Thames Water* – Potential Corporate Social Responsibility award.
 - g. *Local Authority Funding* – Local authority contributions through the Community Infrastructure Levy with some proposed activity likely to address identified local needs such as a play area.
 - h. *Local Fundraising:* Based on the model developed for Gunnersbury Park Museum Committee could consider a local fund raising campaign. This would reflect the recent success of local fundraising that has supported the Orion Harriers community room. Some aspects of the proposed activity

lend themselves to both community and commercial sponsorship opportunities.

20. **Legal Implications:** The Epping Forest Act 1880 includes an additional power at section 5 to reflect the City's purchase of Wanstead Park in 1880.

21. Apart from general Occupiers Liability Acts responsibilities, there is no specific heritage duty on owners of registered parks and gardens to take steps to have them removed from the 'at risk' register.

22. **Large Raised Reservoirs (LRR):** Four of the Park's remaining five lakes are designated Large Raised Reservoirs (LRRs) under the Reservoirs Act 1975, with three of these in COL ownership. Under the requirements of the Flood and Water Management Act 2010 EA undertook in 2014 a risk-based review of LRRs and have provisionally given the largest LRR – Ornamental Water – an unexpected 'High Risk' category compared to the lower risk Category B assessment made under previous legislation. The City of London will continue to work closely with the Environment Agency to ensure that the waterbodies are correctly assessed and that proportionate remedial works are undertaken.

Conclusion

23. A substantial amount of work has 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.

24. The Parkland Plan draws together this extensive body of research and has undertaken stakeholder feedback to prepare a Parkland Plan to achieve the removal of Wanstead Park from the 'at risk' register and to identify how best we can access external funding programmes.

25. It is recommended that Gateway 1 and 2 reports be submitted in autumn 2017 with an outline project proposal based around the Lottery's Parks for People programme seeking to achieve the removal of Wanstead Park from the 'at risk' register.

Appendices

- None

Geoff Sinclair

Head of Operations, Epping Forest, Open Spaces Department

T: 020 8532 5301 E: geoff.sinclair@cityoflondon.gov.uk

Committee(s)	Dated:
Epping Forest and Commons	11 September 2017
Subject: SEF 22/17 Review of Ramorum disease control in Epping Forest	Public
Report of: Superintendent of Epping Forest	For Action
Report author: Dr Jeremy Dagley – Head of Conservation, Epping Forest	

Summary

Sudden Oak Death, *Phytophthora ramorum*, or more appropriately “Ramorum disease”, was discovered in Epping Forest in September 2016 as part of the annual tree health monitoring regime that has been conducted by the Conservation Section for nearly a decade. This disease can kill beech trees and so is considered a severe threat to the internationally-important beech population of Epping Forest Special Area of Conservation (SAC).

In November 2016 a policy of complete removal of rhododendron and larch from Forest and buffer land sites was approved because of the severe risk posed by these Ramorum disease-hosting plants. The highest priority was given to removal work at the infected site at The Warren Plantation, and two nearby sites at Conybury Wood and Oak Hill where the rhododendron was extensive and close to ancient beech trees. The main clearances of rhododendrons at The Warren Plantation, Oak Hill and Conybury Wood were completed, apart from small patches, by March 2017.

However, with the discovery of a second infected site at Wanstead Park it seemed likely that Ramorum disease was more widespread in the environment, rather than being introduced through a single source of infection as had been thought previously. In the light of this new information, a consideration of the significance of the historic plantings at Wanstead Park and an assessment of the level of risk reduction that might be achieved by further clearance work a modified policy is proposed in this report.

Instead of continuing with complete removal at all sites by the end of 2018, it is now proposed to continue removal at key sites close to the beech SAC populations in the northern half of the Forest, whilst monitoring the two historic sites in the centre and south of the Forest, at Wanstead Park and Knighton Woods.

Recommendation(s)

Members are asked to:

- approve a modified policy of partial removal (**Option 2**), which involves the complete clearance of Rhododendron from three key sites over the next 2 -3 years and the retention, for the time-being and with at least annual monitoring, of two historic sites in the Forest;
- approve the annual review of this policy in the light of the Ramorum disease and tree health monitoring results and any new information about the disease.

Main Report

Background

1. Ramorum disease, *Phytophthora ramorum*, was first found in England in 2002 in Cornwall. It is related to Potato Blight and Ramorum disease is not caused by a fungus but by an organism more closely allied to plants. However, it does spread by spores, like a fungus, and spreads faster in damp air. Of greatest concern for Epping Forest, it is known to cause disease and death in mature beech and sweet chestnut trees.
2. Epping Forest is amongst the most important sites for beech conservation in Europe and it is designated as a Special Area of Conservation (SAC) for beech forest and a Site of Special Scientific Interest (SSSI) for beech wood-pasture. Therefore, this disease poses a significant threat to the Forest's status, health and future favourable condition. The Forest, especially Wanstead Park and its environs, is also important for historic Sweet Chestnut plantings, some of which contain ancient trees.
3. As rhododendron has been identified as a key host plant, and is present across the Forest in eight main localities, this has been the focus of monitoring work for the last nine years (see map of rhododendron distribution in the Epping Forest Overview Map in **Appendix 1**). In addition, a full survey of the City Cemetery & Crematorium was conducted last year and this has been included in the list of future monitoring sites. In more recent years, Larch has also been carefully scrutinised for symptoms because of the discovery that Ramorum could produce many times more spores and spread them further from this host.
4. Ramorum disease was discovered in Epping Forest in September 2016 as part of the annual monitoring outlined above. The first discovery concerned three rhododendrons that were found with symptoms at The Warren Plantation
5. Following the issue of a Statutory Plant Health Notice (SPHN) by the Animal & Plant Health Agency (APHA) for Warren Plantation, these infected bushes were removed in November 2016. A recommendation for complete removal of rhododendron from all Forest sites because of concerns about Ramorum

disease's impact on both beech and sweet chestnut populations was approved by Committee in the same month.

6. Following a capital grant application under the Environmental Stewardship Scheme, Forestry Commission (FC) provided £47,409 towards the costs of the removal from three of the main sites within 3km radius (a requirement of the grant) of the infected bushes.
7. By March 2017 rhododendron removal had been completed (except for a few areas immediately around badger setts – see **Table 1** below) by a combination of City of London arborist teams and contractors at Conybury Wood, Oak Hill and Warren Plantation (see also *Financial Implications* below). The remaining rhododendron around the badger setts will be removed before the end of December 2017 under a Natural England licence which has been applied for this summer.
8. In addition, a large amount of work on removing rhododendron at a fourth site, Paul's Nursery, was completed by volunteers organised and directed by Epping Forest Centenary Trust (EFCT – see **Table 1**). This considerable effort has enabled a significant dent to be made in the cover of rhododendrons here, where no grant-aid was available as these bushes lay outside the 3km radius of the original Warren Plantation infection location. Paul's Nursery also lies close to important ancient beech populations and so is a critical site for controlling potential disease vector plants.

Table 1

Site	Area cleared (ha)	Remaining (ha)	Comments
Warren Plantation* (adjacent SSSI)	11.25	0.06	Area around badger sett retained and to be removed before end December 2017 under consent and licence from Natural England
Oak Hill (within SSSI)*	2.2	0.1	Area around badger sett retained and to be removed before end December 2017 under consent and licence from Natural England
Conybury Wood * (Buffer Lands)	1.28	0.11	Area around badger sett retained and to be removed before end December 2017 under consent and licence from Natural England
Paul's Nursery (within SSSI)	Not measured – smaller areas cleared	Majority still to be cleared	Thanks to EF Centenary Trust (EFCT) volunteers for removal of the smaller areas of rhododendron here in 2017. Larger areas to be completed by contractor in 2017-18.
			<i>*Maps available upon request – for internal City of London circulation only</i>

9. In February 2017 FC scientists confirmed that samples sent in from the Epping Forest monitoring work at Wanstead Park were infected. The infected samples came from one rhododendron bush and a neighbouring holly bush close to Ornamental Water (see map in **Appendix 2**). As a result, a second SPHN was

served by APHA and the two infected bushes and other bushes from within a 10m radius were removed and burnt in March 2017.

10. This second discovery from the south of the Forest suggests that the Ramorum organism is more widespread in the environment than expected and that there have probably been multiple sources of infection into the Forest. The current position and management policy was reviewed in the light of this new information and forms the basis for the proposals in this report.

Current Position

11. This new information on the distribution of Ramorum was discussed with the FC Principal Pathologist this summer. FC agrees that Ramorum is probably in the wider environment now but FC does not have enough data to know whether Ramorum is in quantities that would be a serious threat outside the known infected sites. Therefore, the FC position remains the same, which is to remove all infected plants as soon as they are found, and to also remove a zone of between 10 – 100m around them. This is to keep the level of spores as low as possible and prevent their build up in the air.
12. Ramorum sporulates from living vegetation only and so it is important to maintain regular treatment of any regrowth of rhododendrons or other previously infected plants. Regrowth from the roots of mulched rhododendron in The Warren Plantation will be monitored annually for the foreseeable future and all new growth will be sprayed off. At Oak Hill and Conybury Wood the pulling of plants has reduced the likelihood of regrowth significantly as most of the root mass has also been removed and destroyed.
13. Current information on the spread of the disease from discussions with FC staff suggests that Ramorum does not seem to spread too far from rhododendron host plants onto other host species such as beech – maybe no more than 50 – 100m at a time and often it requires closer contact. However, this is based on limited data from SW England and so caution needs to be exercised in its interpretation. Ramorum does however, spread in very large quantities and for much bigger distances from larch and some other tree host species, including sweet chestnut (see para 15 below).
14. In the north and centre of the Forest rhododendron remains at three main sites, St Thomas's Quarters, Paul's Nursery and Warren Plantation. As these bushes are close to the beech populations, and even intermingled with them at the first two sites, it is recommended that the current policy of complete removal should continue to apply to these sites.
15. The removal of the larches at Warren Plantation has been put out to tender. These trees are particularly susceptible to the disease and have been shown to spread huge numbers of spores very widely in the environment. FC has had a policy of pre-emptive removal of these trees from near infected regions and, therefore, the removal of these trees is still proposed for completion in this financial year 2017-18.

16. In addition, the SPHNs prohibit the removal of soil and susceptible plant materials from the two infected sites in the Forest – Warren Plantation and Wanstead Park - and these restrictions remain in force. It also makes it a statutory requirement that all and any staff or contractors entering the site and coming into contact with susceptible material – which includes trees and shrubs - must remove soil and plant debris from equipment and footwear and disinfect these with *Propellar*® or *CleanKill*®– (standard anti-bacterial disinfectants do not kill Ramorum).

Options

17. Given that Ramorum may be more prevalent in the environment than originally understood, a review of the current policy of complete removal of rhododendron within two years is considered worthwhile and the options are assessed below in paragraph 20.

18. For the areas where rhododendron has been removed, it is recommended that annual monitoring of regrowth should continue and any new live growth should be destroyed by spraying (on-foot with a lance) with herbicide or, if large enough, by uprooting. The August 2017 survey has revealed patchy regeneration of rhododendron which should involve about two days' spraying work this year.

19. It is also recommended that future removal of rhododendron or other susceptible shrubs should be carried out by uprooting rather than mulching where possible, following the success of the work at Conybury Wood and Oak Hill.

20. For the remaining areas of un-cleared rhododendrons (see map at Appendices 1, 2 and 3) there are three main options for your Committee to consider:

- a. **Option 1 – reactive only** – continue with annual monitoring and no further clearance work other than that required by future discoveries of infected plants and the subsequent SPHNs from APHA or the FC.

Although the majority of rhododendron has been removed, revising the management approach to *reactive-only* is still not recommended because of the amount of rhododendron that remains close to the internationally-important beech populations at St Thomas's Quarters and Paul's Nursery and to some extent at The Warren (close to Bury Wood keystone beech trees). Some of these rhododendrons are within a few tens of metres of ancient beech trees and the possibility of cross-infection based on the latest information from FC (see above) remains high (see paras 11 & 14 above).

- b. **Option 2 – partial removal by end of 2018 (or 2019 for Warren House)** of rhododendron from beech sites (St Thomas's, Paul's Nursery and Warren House) only, with complete removal from all sites remaining an option in the longer term. Nearby private properties close to these beech trees may also be contacted through a letter drop to see if the owners would be willing to allow their rhododendrons to be checked.

In the meantime, on the two southern parkland/garden sites of Wanstead Park (0.76 ha plus scattered bushes) and Knighton Woods (1.43 ha), and at the City Cemetery & Crematorium, continue annual monitoring and habitat management clearances of invasive bushes only. Any infected bushes would of course be removed immediately. There would be an annual review of this position in which complete clearance would remain an option for the future should the level of infection indicate such action was required.

In addition the complete removal of larch at The Warren Plantation, and from smaller stands in woods at Copped Hall, would be completed as approved previously (see paragraph 15 above).

- c. **Option 3 – complete removal now:** continue with current policy of complete removal by end of 2018. This would involve clearance from all other remaining sites (see **Appendix 1** map) including Knighton Woods and Wanstead Park and finding and destroying all outlying plants (e.g. escaped into Forest from private gardens or at Forest lodges). To preserve the small number of locally significant varieties identified at Wanstead Park and Knighton Woods, specialists would be encouraged to take cuttings and grow on new plants at suitably-equipped nurseries.

Proposals

21. It is recommended that **Option 2** is adopted as a modification of the previous policy approved last November. This modified position would take account of the good progress with removal from and control of regrowth near the SAC beech sites whilst allowing more time to accommodate further removal work from other sites over a longer period of time (e.g. at Knighton Woods).
22. This modified approach would also allow some of the historic plantings to be retained for the time-being under close monitoring. A recent review of the Wanstead Park rhododendron information, for example, leaves open the question as to whether these plants are remnants of the original plantings. Therefore, whilst not important as individual cultivars they may represent an important historic planting.
23. This alteration of policy also takes into account that in the more urban areas of the Forest, such as Wanstead and Knighton, with Ramorum probably present more widely, there are likely to be multiple sources of infection from external sites within tens or hundreds of metres of the Forest boundary. Of particular significance there are also the historic and memorial City Cemetery & Crematorium plantings to be taken into account. Therefore, rhododendron removal work here may not reduce the risk as much as desired for the effort expended. Nonetheless, annual or more frequent monitoring for the disease here remains critical, as it does at the City Cemetery, especially monitoring of susceptible tree species, like sweet chestnut, as well as rhododendron.

Implications

24. **Corporate & Strategic Implications:** the options and proposals in this report meet the *City Together* Strategy by contributing to “*a world class City that promotes and enhances our environment*”. In relation to the Open Spaces Department’s Business Plan Improvement Objectives, this report meets the objective to “*promote sustainability, biodiversity and heritage*”
25. **Health Implications:** there is no public health risk from Ramorum disease.
26. **Financial Implications:** of the FC grant, £46,528 was received from FC for the works completed by March 2017. The remaining £881.60 is pending and will be claimed once the final works around the badger setts is carried out. This work will be carried out under a Natural England licence, which has been applied for this summer, and will need to be completed before the end of December 2017 to ensure that there is no disturbance during the badger’s breeding season. The final claim under this grant will then be made in this Financial Year ending March 2018.
27. The costs of maintenance of these cleared sites by spraying of regrowth with herbicide or its removal by flailing will need to be covered by annual local risk budget expenditure. However, the evidence from surveys this summer suggests that the regrowth from the mulched areas is patchy only and the uprooted areas remain clear. There should be no more than two days’ hand-spraying work to be done and the estimated cost of this herbicide spraying for 2017 would be less than £2,000.
28. Further grant aid may be possible for removal work within 3km of an infection site and so a grant application for the area at St Thomas’s Quarters is to be made to FC. The area covered is less than 1 hectare and so any grant sum would be less than £2,000. Any work at Wanstead Park may also attract a grant in future and any application will be reviewed in the light of proposed management. However, as the area covered is around 0.76 ha, any grant-aid would be no more than £2,500.
29. The proposed rhododendron removal sites at Paul’s Nursery and Warren House are not open for grant aid. Therefore, dependent on the level of clearance work that the EFCT may wish to agree to undertake, the costs of the remaining removal work, especially of large blocks, will need to be found from current Local Risk budgets. The rhododendrons cover about 1.3 hectares at Paul’s Nursery and 0.15 hectares at Warren House and based on last year’s operation the likely cost for uprooting and removal work here would be around £5,000 depending on how much volunteers’ would consider tackling and over what period.
30. The proposed larch felling and removal in The Warren Plantation is currently out to tender through City Procurement. As the larch is not currently infected the aim is to sell the wood for a small profit or, at least, for it to be removed at cost.
31. Further *Rhododendron* clearances are likely to be carried out by a combination of mechanical and hand clearance work (the latter by volunteers where possible).

The use of contractors with a 360 digger to pull the rhododendrons up by their roots proved highly successful and it reduces the requirements to treat re-growing stumps with chemical herbicides in future years, thereby reducing the costs of future maintenance.

32. **Legal Implications:** the requirements of the current Statutory Plant Health Notice (SPHN) and any subsequent SPHN as served under the Plant Health (Order) England 2015 must be adhered to in all operations by staff and contractors. In addition, any clearance and tree work must receive the required consents and permissions under the other relevant legislation protecting the Special Area of Conservation, Site of Special Scientific Interest, Registered Parks and Gardens and Conservation Areas. The work around the badger setts will be carried out under a specific time-limited protected species licence from Natural England.

Conclusions

33. Following the discovery of a second site of infection of Ramorum disease at Wanstead Park, a review of the disease control policy was undertaken. In the light of the success of rhododendron removal work from sites close to the internationally-important beech populations, which attracted significant Forestry Commission grant support, it is considered that clearance work at the three key remaining sites close to ancient beeches must be completed. In addition, the removal of larch at The Warren Plantation would be carried out alongside this work. However, for the remaining two sites at Wanstead Park and Knighton Woods it is proposed that the rhododendrons here should not be removed this year and instead that detailed monitoring of their health should continue instead.

34. It is further proposed that this modified policy is subject to an annual review by Committee to take account of the monitoring results and all other new information on the disease.

Appendices

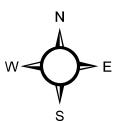
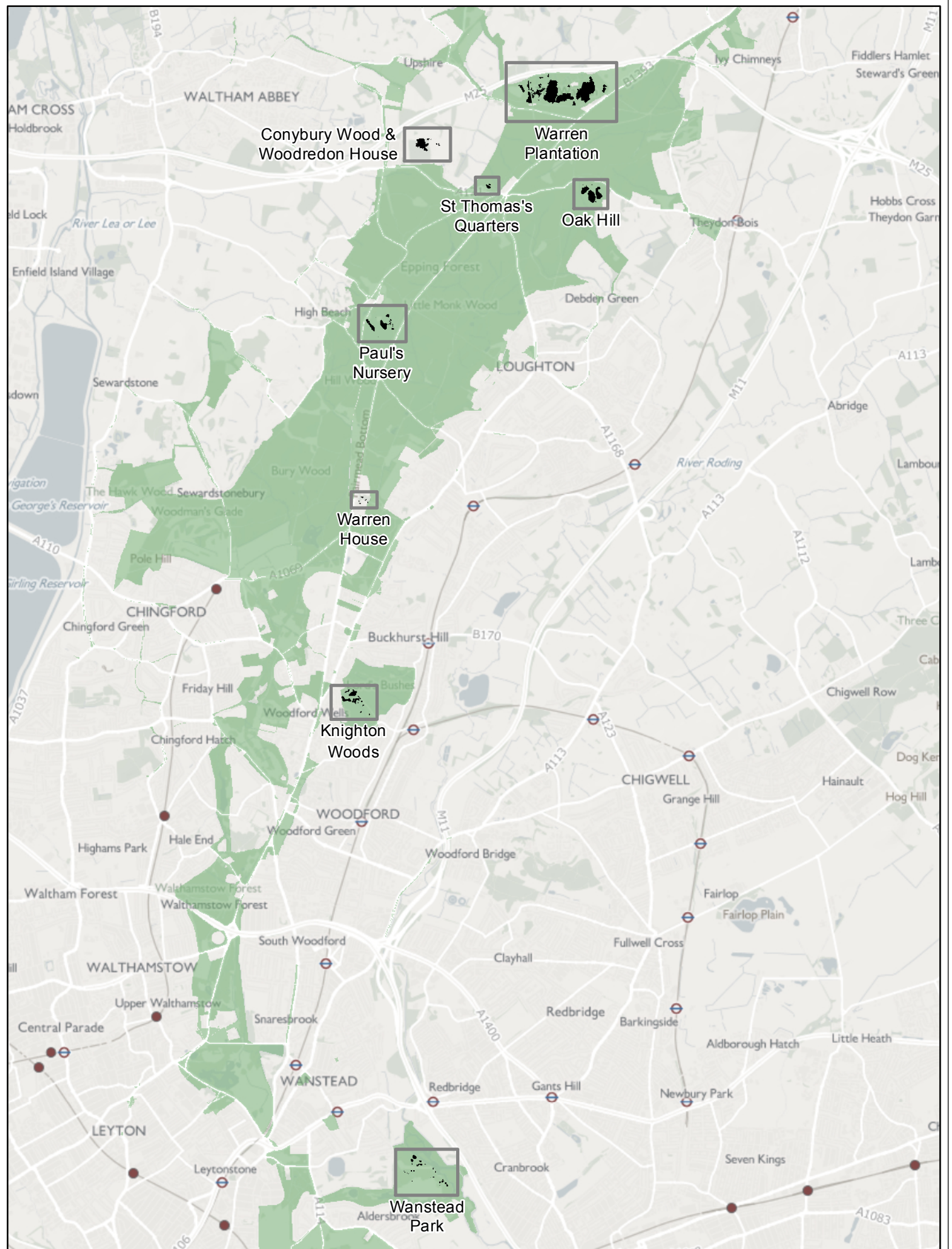
- Appendix 1 – **overview map** of the locations of main rhododendron areas in the Forest and buffer lands
- Appendix 2 – map of rhododendron areas and notable individual rhododendrons at **Knighton Woods**
- Appendix 3 – map of rhododendron areas and notable individual rhododendrons at **Wanstead Park**

Dr Jeremy Dagley

Head of Conservation, Epping Forest

T: 020 8532 5313

E: jeremy.dagley@cityoflondon.gov.uk

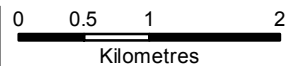


**Rhododendron
Overview Map**

Rhododendron area at
 Autumn 2016
 Forest Land
Page 39

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Epping Forest

Date Created:
07 Aug 2017

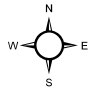


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CITY OF LONDON



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Metres

Knights Woods Rhododendron Plants 2013-14 Survey

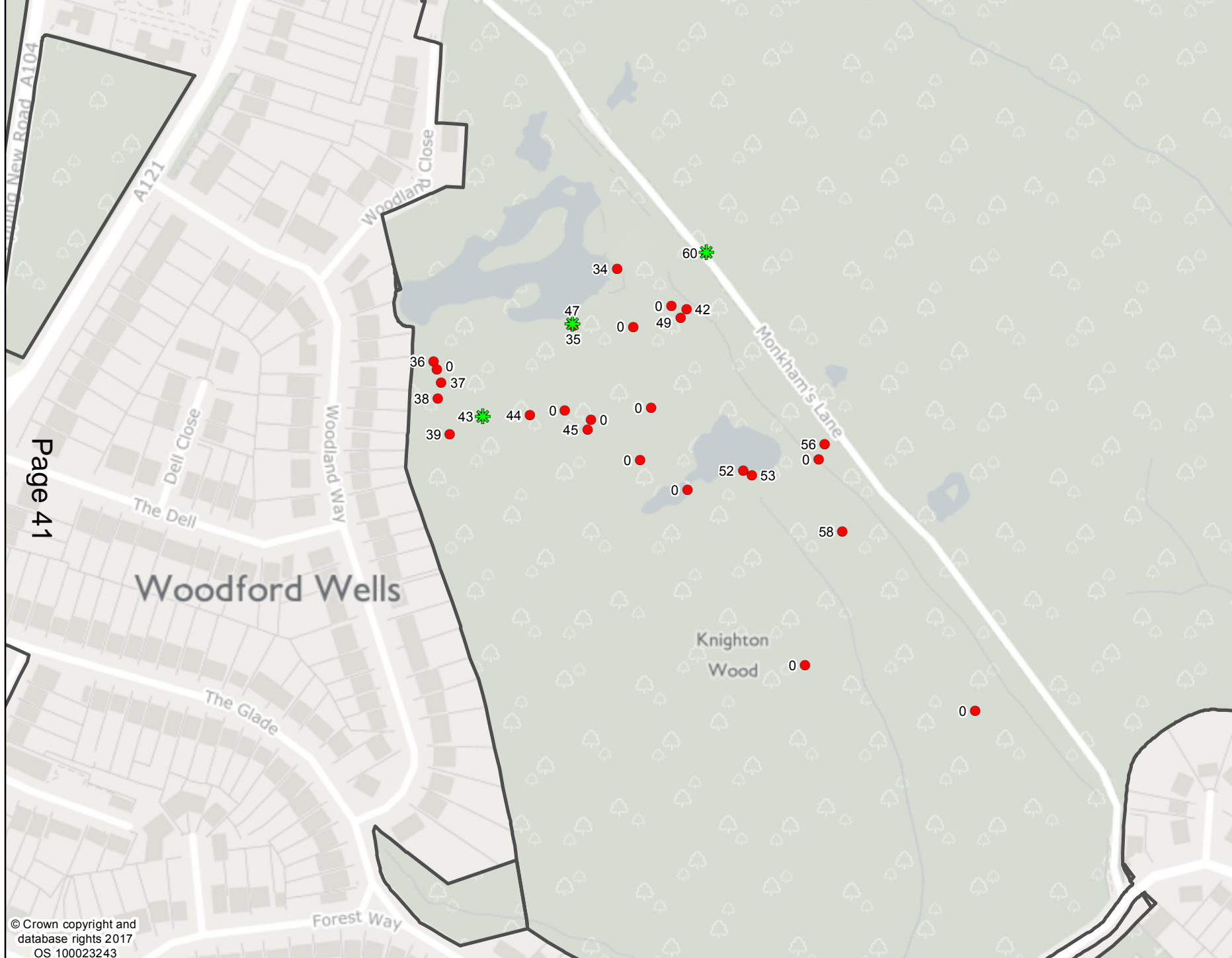
- Rhododendron plant
- ✱ Significant Rhododendron Plant

Forest Land

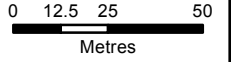
Numbers other than '0' have been surveyed by Michael Lear and corresponds with the LA no. in the Lear reports

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27 Jul 2017



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Wanstead Park Rhododendron Plants 2013-14 Survey

● Rhododendron plant

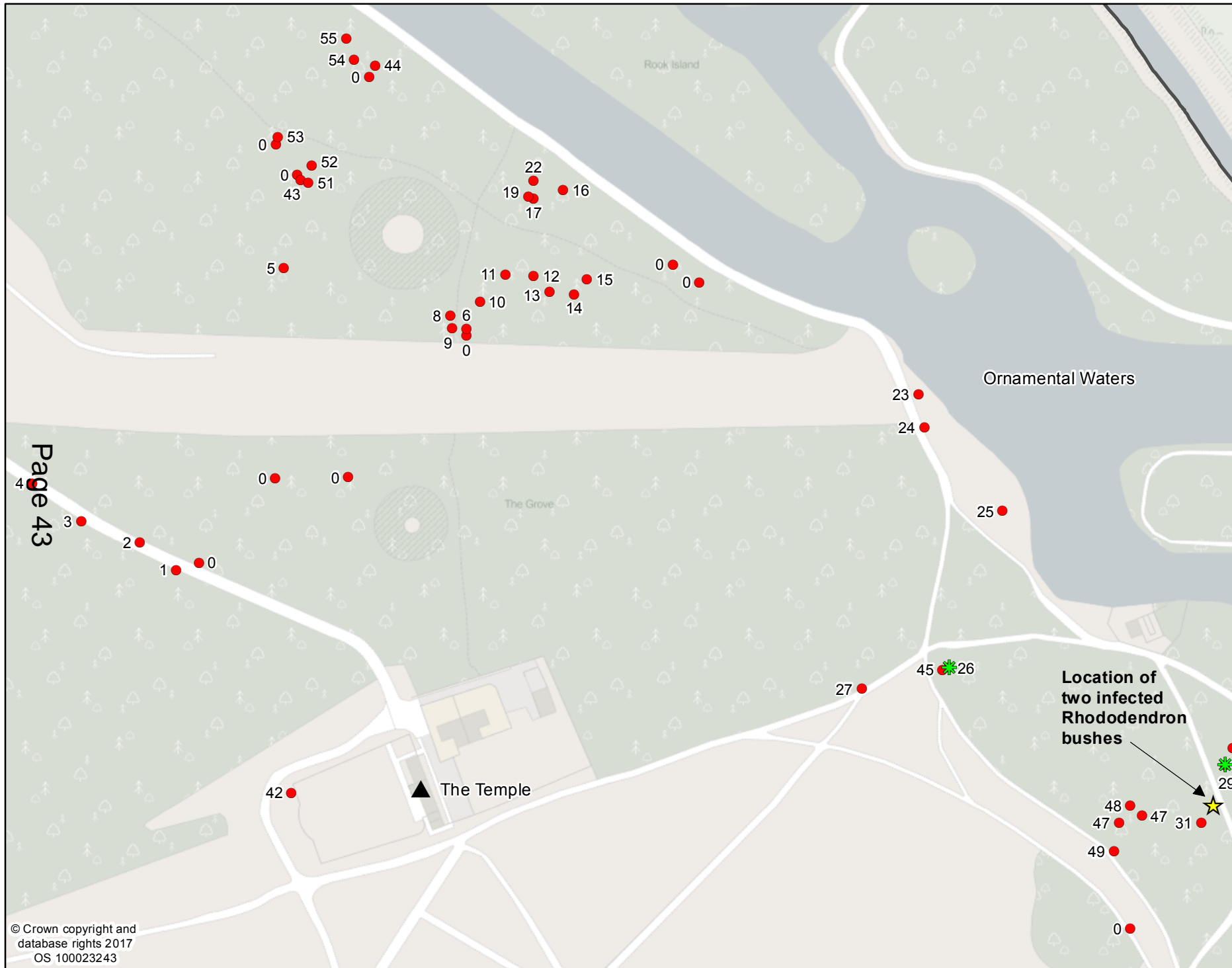
★ Significant Rhododendron Plant

▭ Forest Land

Numbers other than '0' have been surveyed by Michael Lear and corresponds with the LA no. in the Lear reports

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27 Jul 2017



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Committee(s)	Dated:
Epping Forest and Commons	11 September 2017
Subject: SEF 23/17 Epping Forest Work Programme Out-turn for 2016-17	Public
Report of: Superintendent of Epping Forest	For Information
Report authors: Geoff Sinclair, Head of Operations & Dr Jeremy Dagley – Head of Conservation, Epping Forest	

Summary

This report summarises the work completed as part of the access and habitat Work programme for Epping Forest from **April 2016 to March 2017** inclusive.

Amongst the **highlights** were:

- a total of £287,201 of agri-environment income supported the essential habitat conservation work in the Forest;
- over 25 hectares of wood-pasture restoration work was achieved by in-house teams and contractors, one of the highest acreages achieved in any year;–.
- volunteers also played a significant role in restoring the Forest’s internationally-important wood-pasture as well as tackling the threat of non-native species;
- 40 tonnes of invasive Floating Pennywort was removed from Perch Pond;
- 15 hectares of rhododendron was removed to prevent the establishment of Ramorum disease in the Forest;
- Trueloves fencing was completed allowing the site to be grazed for the first time in 2017;
- major improvements to Hill Wood Car park’s capacity, safety and amenity.

Recommendation(s)

Members are asked to:

- note this report.

Main Report

Background

1. This report reviews the conservation and access projects, habitat management and tree safety work achieved during the year 2016-17. The habitat work programme is drawn from the Epping Forest Management Plan approved in 2004 and other strategy documents approved since, including the works related to the *Branching Out* Project and the Grazing Expansion Plan. Background details of the projects can be found in the main Management Plan and in the other documents listed below under ‘*Background Papers*’.

General Review of the Year

2. **Funding and support:** The habitats work programme is supported financially by Natural England through its Environmental Stewardship Scheme as either Entry Level Scheme (ELS) payments or Higher Level Scheme (HLS) funding, as well as additional capital grants for specific qualifying works.
3. The management of most of the grasslands in the Forest and on the Buffer Lands is covered by payments under the ELS, with additional income for grassland management from the Basic Payment Scheme, administered by the Rural Payments Agency (RPA).
4. Other habitats work in the Forest, especially within the scrub and wooded areas, is supported by specific HLS payments at higher rates of payment and this includes cattle grazing, wood-pasture restoration and scrub management.
5. **Forest Operations:** **Chart 1** below summarises in percentage of time the annual activity by the forest operations team for the 2014-16. The categories are general activity categories and there is additional detail behind these figures. **Charts 2 and 3** present the detail behind Site Safety and Legal activity and a breakdown of our work on Habitats generally, i.e. including woodland and non-woodland habitats.
6. In future years similar data will be included for contractor activity and costs will be apportioned to the activities so that a more accurate picture of how resources are allocated can be presented.

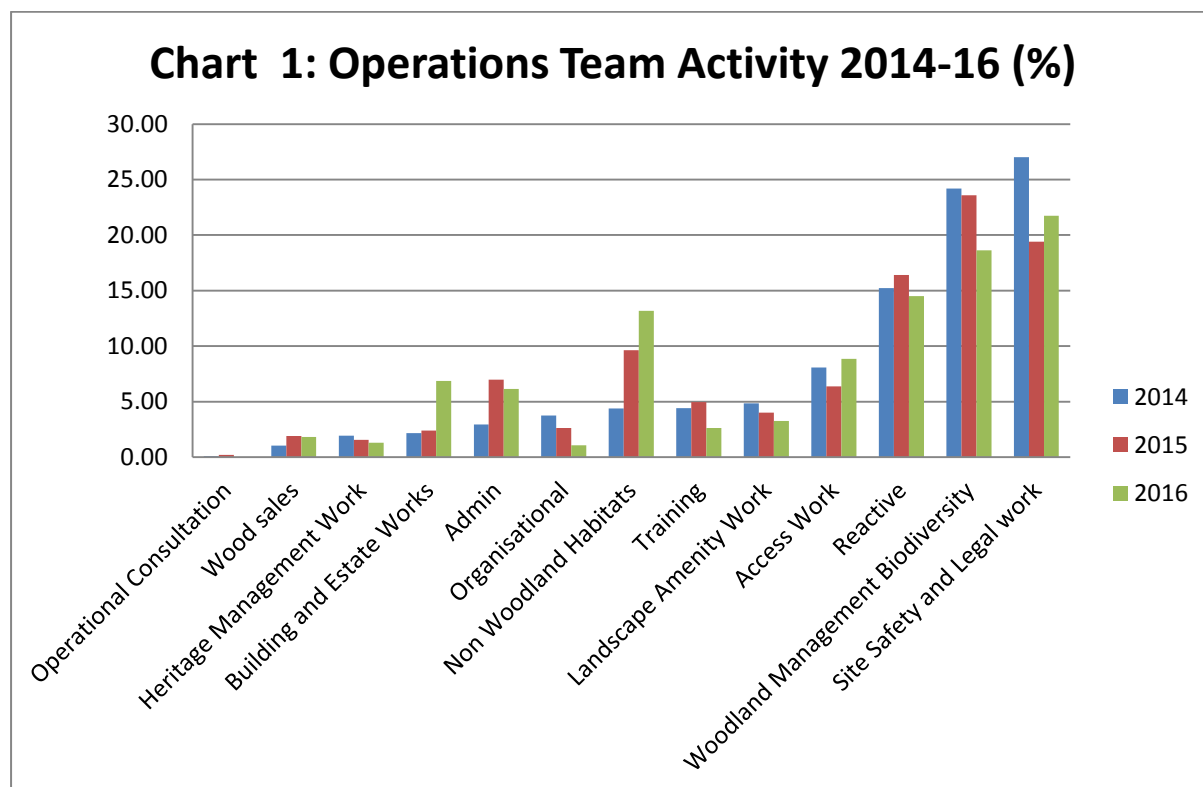


Chart 2: OPERATIONS TEAM TIME SPENT ON SAFETY AND LEGAL ACTIVITY IN 2014-16 (%)

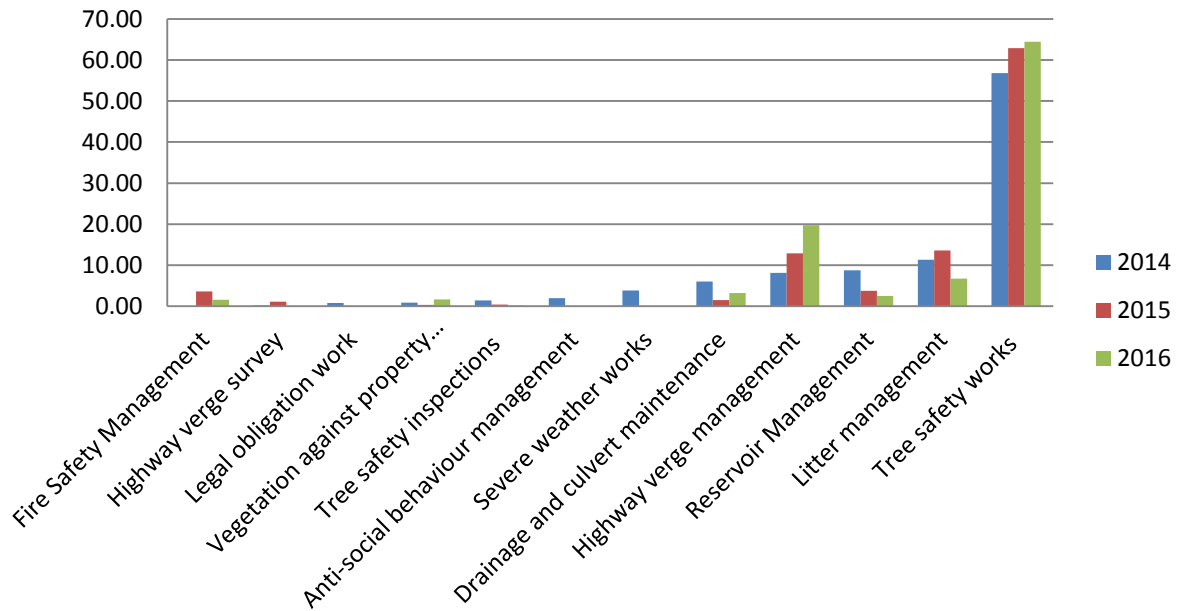
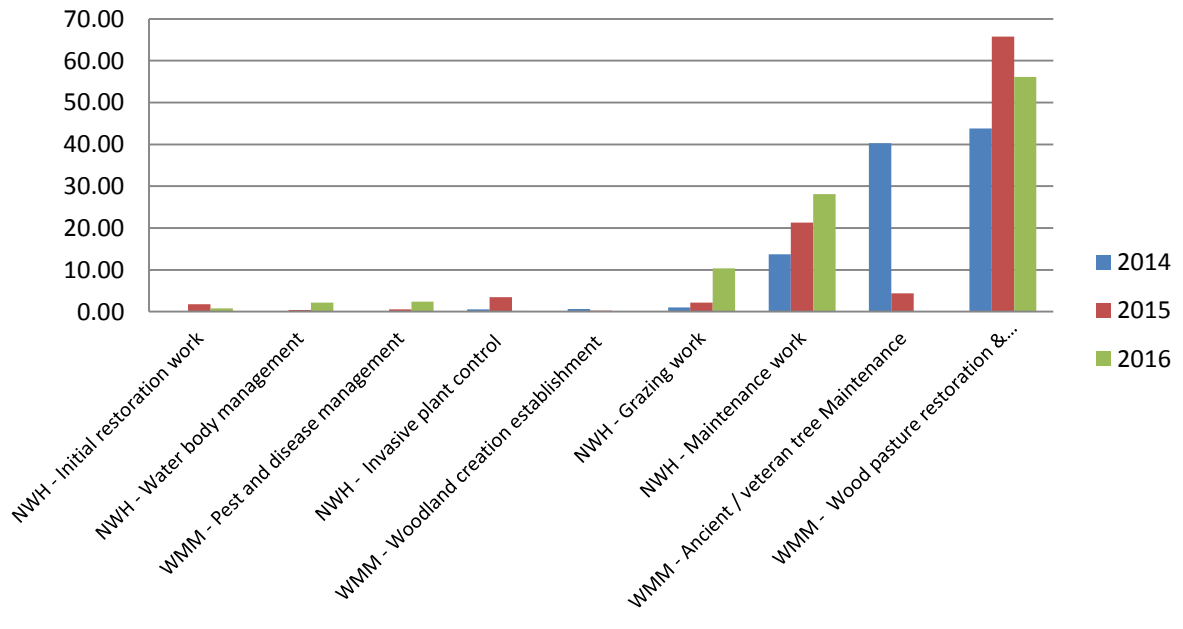


Chart 3: OPERATIONS TEAM HABITAT MANAGEMENT ACTIVITY 2014-16 (%)



7. **Volunteers:** This year's work by volunteers was carried out at over 20 sites across the Forest by the Epping Forest Conservation Volunteers (EFCV) and Epping Forest Centenary Trust (EFCT).

8. EFCT carried out work at Lord's Bushes and Gas Ride (near The Warren) amongst other sites and, of particular note was the volunteers' work on tackling the removal of rhododendron at Paul's Nursery as part of the Ramorum disease control effort over the winter.
9. The EFCV carried out work in 19 sites during the year, directed by the Biodiversity Officer, with multiple tasks at several key sites, in particular putting a lot of effort into wood-pasture restoration work in Lord's Bushes and Bury Wood.

Wood-pasture Restoration and woodland/scrub management

10. This year, in addition to the work carried out by the Forest Operations teams across the Forest, three specialist woodland contractors were also employed to carry out wood-pasture restoration tasks at specific sites. This was the first year in which contractors had been used so extensively for such work and this extra input of resources enabled an additional 8.2 ha of habitat restoration to be achieved.
11. The contractors worked within five of the 38 Forest Compartments (Comps): Walthamstow Forest (Comp 34), Barn Hoppitt (Comp 29), Lord's Bushes (Comp 32), High Beach-Pillow Mounds (Comp 14) and Honey Lane Quarters (Comp 9). The work consisted largely of the felling and removal of infilling Holly, Hornbeam and Birch that have grown up in amongst the ancient trees and shaded out the ground flora and flowering shrubs. Younger trees were also selected and left to provide successor habitats and new pollards.
12. In addition the Forest Operations teams carried out work across 7 compartments and completed 17 hectares of restoration work. This included areas of mulching, using a hired forestry mulcher, where smaller infilling trees were removed mechanically in Bury Wood, Gilbert's Slade, Walthamstow Forest and Warren Wood Slope.
13. As well as improving the wood-pasture habitat and working towards achieving SSSI favourable condition, the work described in the above paragraphs has enhanced the visitor access and experience of the Forest by opening up vistas through the areas and creating more space for walking and exploring the Forest.

Grazing, Grassland Management & Restoration

14. HLS work on scrub control was completed using a tractor-mounted mulcher borrowed from The Commons Division in a good example of efficiency savings through shared machinery use. This machine was used to clear invasive broom on Wanstead Flats and invasive gorse and broom on Leyton Flats, both helping to restore acid grassland and allowing area for expansion of heather at Leyton Flats. This work also enhanced visitor access around Hollow Ponds where routes were becoming blocked or over-hung by tall scrub.
15. The dry summer and autumn meant that it was a very successful year and tractor-work went well into the winter when in most years activity is restricted from mid-October onwards. Contractors cut 72 ha with a further 90 ha cut as haylage from the Buffer Lands. In-house teams cut 138 ha of conservation and amenity

areas in 2016, which included the cumulative area for sites with multiple cuts such as Queens Green at High Beach.

16. Due to the good conditions the Grasslands Team were able to undertake additional work on the Buffer Lands to cut areas of coarse grass growth and brambles to help improve these pastures for grazing.
17. A fourth contractor (see paragraph 9 above) was employed to remove trees and reduce scrub around the edges of Trueloves to restore flower-rich grassland habitats and also prepare access routes for fencing, which was carried out by the same contractor.
18. Trueloves was also fenced around its entire perimeter with stock-proof fencing and three new gate access points for horse-riders, which were modified following feedback from horse-riders to meet their requirements better. Trueloves will now be grazed from summer 2017 onwards and this will reduce the requirements for mowing this site and should help to retain the invertebrate biodiversity of this diverse grassland
19. Fernhills grasslands were also restored in extent by further scrub removal, by the contractor used at Trueloves. This work also allowed better access across the site for visitors and the grazing cattle.
20. **Grazing:** in October the contract with Wildlife & Countryside Services was terminated by mutual agreement. Committee in November 2016 (SEF 50/16) approved the transfer of the grazing operation in-house. During the winter 2016-17, a combination of 37 animals purchased and 15 births resulted in the growth of the City's Longhorn herd to 101 animals.

Wetlands and Pond Management

21. Control works on the Floating Pennywort in the Perch pond were very successful and made a significant impact. Following an initial physical clearance of the weed from the lake when over 40 tonnes was estimated to have been cleared specialist contractors undertook monthly herbicide treatment of the remaining colonies. There was a risk of the treatment adversely impacting other non-target marginal vegetation however such spray drift damage was kept to a minimum. Further herbicide control work will be required in 2017

Invasive Non-native species and Pathogen related work

22. In addition to the work on Floating Pennywort, other non-native species were a focus of considerable resources during the year. The discovery of Chestnut Gall Wasp, Oak Processionary Moth, Chalara (Ash Dieback) and Ramorum disease all in this same year coincided with a very dry summer and autumn during which trees showed general signs of stress, including wilting and browning of leaves and branch drop during August 2016.
23. Statutory Plant Health Notices (SPHNs) were served by the Forestry Commission (FC) for the gall wasp at Wanstead Park and the OPM nest site at Trueloves. The OPM site was sprayed with a natural insecticide in March 2017 as a precautionary measure, following national guidelines. The Animal & Plant Health Agency (APHA) served separate SPHNs for the two Ramorum infection sites at

Wanstead Park and The Warren Plantation. Nearly 15ha of rhododendron was cleared by in-house staff and contractors, with grant-aid of over £47,000 from the Forestry Commission. Details of the Ramorum work are covered in a separate companion report to the Committee, which is for decision.

Visitor Access work

24. **Hill Wood Car Park Improvement:** in coordination with the tenant of the tea-hut at Hill Wood Car Park a major package of works was completed that saw the security and condition of the car park improved. Facilities for visitors were also much improved with new picnic tables installed and motor bike parking facilities upgraded. Works were undertaken by both in-house and contract teams.
25. **Car Park Security:** to help improved security at our car park we undertook improvements to car parks along Coppice Row. These involved installing robust in and out gates along with a larger tarmac entrance splay to help reduce problem of potholes as people leave the car park. While relatively expensive, at an average cost of around £18,000 per car park, they have helped considerably to reduce the significant Anti-Social Behaviour problems at the car parks concerned.
26. **Seats at Wanstead Park:** The Friends of Wanstead Parklands were successful in raising the funds to finance new seating at the Café by the Heronry Pond. The work to install the seating was undertaken in May 2017

Risk Management Activity

27. **Highways Vegetation Management:** 2016 was the second year of a three-year contract with a local contractor to manage the Forest's highway verge vegetation. Work started a little later than planned but, nonetheless, 33 km of highway verge in total was cut by contractors across the Forest. The programme of over-hanging branch removal was carried out to ensure the highways were cleared to the statutorily-required height for high-sided vehicles. To do this work, as in previous years, a converted open-topped bus was hired that has a work platform and wood-chipper which allowed efficient and safe-working at the required height.
28. Overall this is the most effective and least expensive method of carrying out this type of work but within the London Borough areas in the south of the Forest operational costs were increased due to the need to pay a congestion charge of £200/day for the bus on top of the bus hire charge.
29. **Tree Safety Management:** all trees identified as requiring safety management work by the City Corporations appointed independent inspectors were tackled as required. In addition, two Massaria surveys were undertaken, to add to the inspections carried out during the safety works, on 451 London Plane trees in the Forest. This disease, discovered some years ago in the Forest, has resulted in considerably increased work requirements to make safe issues arising from these trees which are typically along roadsides.
30. The Tree Safety zone map was also updated during the year and this provided the opportunity to revise the zoning. This revised zoning, in line with the National Tree Safety Group (NTSG 2011) guidelines on tree hazards, will make the

amount of annual survey work, and subsequent management treatments, more manageable without compromising safety. A further revision will be undertaken in 2017 to consider the classification of the roadsides

31. **Jubilee Pond Protection:** Two pilot projects were completed to trial different methods of protecting the edge of the newly-lined pond from the intensive pressure by geese and wave erosion. In-house staff installed large granite boulders backfilled with stone to create a hard protective edge to the pond and to date this seems to have worked well. At a cost of £300/m this will present a significant investment for the remaining 100m left to protect on the pond's shore.
32. Staff and volunteers from the EFCT using brushwood sourced from the Forest installed a brushwood barrier around a number of the islands in the pond. The hope is that this will reduce damage by wave erosion and the same time as creating an improved opportunity for sediment to gather and plants to establish. The success of this established traditional practice is still being monitored.
33. **Churchill Avenue, Woodford Green:** work was not undertaken on the avenue as planned during the year. Initial discussions to help formulate a possible approach to the management of this avenue were undertaken. Given the prominence of the avenue in the local landscape of this local authority Conservation Area (Woodford Green) a detailed public consultation will be required before significant work can be progressed.

Implications

34. **Corporate & Strategic Implications:** the achievements highlighted in this report meet the *City Together* Strategy by contributing to "*a world class City that promotes and enhances our environment*". In relation to the Open Spaces Department's Business Plan Improvement Objectives, these achievements meet the objective to "*promote sustainability, biodiversity and heritage*"
35. **Financial Implications:** the total of income from Environmental Stewardship this year towards grazing and wood-pasture restoration work amounted to £164,233 plus an additional £7,290 in capital grants. The Basic Payment Scheme funding towards grassland management amounted to a total of £115,678.
36. Taken together the agri-environment support for the Forest's and buffer lands' habitat conservation work was, therefore, **£287,201**.

Conclusions

37. This year saw a considerable amount of change and large challenges to the management of the Forest in the form of non-native species and tree diseases, the replacement of the grazing contractor and the first extensive use of contractors for SSSI habitat conservation work. A series of planned changes to management have improved the way in which the operations are achieved. Invasive non-native species remain a considerable threat to the long-term health of the Forest and represent a growing and significant financial burden,

Appendices

- None

Background Papers:

- The Epping Forest Management Plan 2004-2010
- The Barn Hoppit Wood-pasture Restoration Plan 2006-2011
- The Lords Bushes and Knighton Woods Integrated Site Plan 2004-2010
- The Wanstead Flats Integrated Site Plan 2006-2011
- *Branching Out Stage II* Project Plan (Nov 2008) – including the Keystone Trees and Grazing Strategies
- SEF 01/13 Epping Forest & Commons Committee Report: Grazing Expansion Plan for Implementing the Epping Forest Grazing Strategy. 13th February 2013.
- Wanstead Park Conservation (2011)
- SEF 50/16 Epping Forest & Commons Committee Report: Epping Forest Grazing Expansion Plan Continuity Arrangements. 21st November 2016.

Geoff Sinclair

Head of Operations, Epping Forest

E: Geoff.sinclair@cityoflondon.gov.uk

Dr Jeremy Dagley

Head of Conservation, Epping Forest

T: 020 8532 5313

E: jeremy.dagley@cityoflondon.gov.uk

Committee(s):	Date(s):
Epping Forest & Commons	11 th September 2017
Subject: Superintendent's Update	Public
Report of: Superintendent of 'The Commons'	For Information
Summary	
<p>This report provides a general update on issues across the nine sites within 'The Commons' Division that may be of interest to members and is supplementary to the monthly email updates.</p>	
Recommendation	
<p>Members are asked to note the contents of this report.</p>	

HLF Project - Kenley Revival update

1. Zone 2 works programme has been extended with additional costs to the PAYE contract increasing to £260k as approved by Project sub-committee to allow for all additional works to rifle range, KC12, KC29 and KC34 being complete. This increase is funded by the under spend in the conservation/ repair, inflation and contingency budgets and will extend this element of the works programme by approximately 6 weeks. The increase is due to additional works being required to remove the Scheduled Monument from the Heritage at Risk Register following further inspections of each individual pen and is based upon learning gained during the lifetime of the project.
2. The Tribute Relocation Works are complete and the spine wall in KC12 has now been restored.
3. An 'Events Apprentice' has recently been appointed to join the project delivery team commencing mid-September for an 18 month term. Salary requirements will be met centrally via the City's Apprenticeship Scheme. Training is also being provided via the City of London.
4. The 2017 Learning Festival is now complete with 856 schoolchildren attending. Press coverage was good and the event also received 100% satisfaction feedback from volunteers and schools.
5. The 'refreshed' Website and Archive has recently been launched with members of the public better able to contribute stories and photographs of RAF Kenley. We have also seen a significant increase in the project through social media channels. The project has had a significant increase in press coverage. Blog posts being written by Project Manager to cover the conservation works.

6. The largest event in the lifetime of the project titled 'Sky Heroes' will be held on Sunday 10th September, the event will encompass the whole of the airfield with a lecture tent, museums quarter, archaeology display, nature and science activities along with guided tours and land train. It is possible that a Hurricane fighter plane will undertake a flypast during the event. Details of the event including a map of the site are available online. Such is the anticipated scale of the event that the Project Board decided to employ an Events Management Company to handle the traffic management and stewarding rather than rely on volunteers as has been the case in the past.
7. The Community Archaeology Dig took place 17 – 21st July with activities over the weekend delivered as part of the National Festival of Archaeology. The dig was very successful and a last minute decision to engage MOLA (Museum of London Archaeology) to deliver the event increased the benefits in training volunteers. Many buried features were uncovered including the location of several platforms to which Spitfires and Hurricanes were secured during the Battle of Britain period. All artefacts will now be cleaned and photographed for the website with East Surrey Museum and Wings Museum already requesting objects for display. The weekend tours saw 150 people take part with several press articles published.
8. Film screening of 'Reach for the Sky' was held at the David Lean Cinema on Saturday 19th August with a pre-screening talk given by the Project Manager.
9. The latest HLF report covered the period June – August and included a cost provision of approximately £27k for contributions from volunteer time, this is equal to the total of previous HLF reports submitted to date and indicates the significance of volunteer involvement in the project and exceeding targets to date.

Burnham Beeches and Stoke Common

10. The quarry site at East Burnham has continued to operate and the associated monitoring of the ground water hydrology and dust has continued. No issues have arisen. The additional dust monitoring stations have recorded low level of dust since their installation while the sticky pads are recording higher levels. This suggests that, at the moment, the dust is probably not coming from the quarry but may be due to other local building work. The sticky pads also pick up more organic matter due to their locations. Volunteers continue to do the bulk of the work in servicing the dust monitoring.
11. A further meeting of planners was held under 'Duty to Co-operate' between South Bucks District Council (SBDC), Slough Borough Council (SBC) and Bucks County Council (BCC) with Natural England and CoL Officers present. Work continues on the South Bucks and Slough local plans although air quality issues in relation to traffic dominated the meeting. Modelling work on projected vehicle numbers has been carried out by Bucks County Council to help the process and the issue has an impact on the development of other plans such as the Minerals and Waste Plan, the Freight Policy, development of SMART motorways in the area and the expansion of Heathrow Airport.

12. Comments have been submitted on the following plans or projects: Windsor & Maidenhead Borough Draft plan (particularly the Habitats Regulations Screening Assessment), the Bucks County Council Minerals & Waste Plan, Windsor & Maidenhead Minerals & Waste options, planning applications for a new gravel quarry site locally and the construction of a Beaconsfield relief road and four other planning applications for additional dwellings within 500m of Burnham Beeches..
13. The annual vegetation monitoring is almost completed with the eco-volunteers providing extra valuable help, the data gathered provides information on how the management is impacting of the target plant communities.
14. A meeting was held with project officers and associated experts regarding the Heritage Lottery Funded project 'Back from the Brink' in particular the element 'Ancients of the Future'. 'Back from the Brink' is being delivered by Plantlife, Buglife, RSPB, Natural England and others. It focuses on species associated with ancient trees and many of the target species are found in Burnham Beeches, including several species of fungi, a moss, lichen and birds. Burnham Beeches is proposed as a location to carry out several small projects, or parts of projects, including finding out more about the ecological requirements of Forster's knot-hole moss and attempting the translocation of the Red Data Book lichen *Pyrenula nitida* from a beech pollard that is almost dead to some similar trees in the same locality. There are no cost implications to local risk budgets although some staff time will be required if the project includes research at Burnham Beeches.
15. A second/new location has been found for the nationally rare bracket fungus, Oak Polypore this summer. In the same area as it has been found previously but on a different tree. A toadstool found during inventory work on Stoke Common in 2011 has finally been identified using genetic studies as *Hebeloma laetitia*. This is the only British record and it is one of just three worldwide, the other two being in Italy.
16. The Ranger team has been working on the young pollards, cutting this year's batch of trees in the work programme, many for a 3rd time. Bench and summer tree safety surveys have been completed with replacement benches being made from on-site timber and installed by staff and volunteers.
17. The grazing project continued with animals grazing all the 120Ha invisible fenced area until the end of July. They will return to some areas for a second time in September.
18. The Burnham Beeches volunteers have continued to carry out tasks to improve visitor facilities – including footpath surfacing and installing replacement benches along with the usual summer tasks of bracken bashing & wildlife surveys.

19. Following the traveller incursion on the Mian Common in May site boundary protection was improved at various points around the site by the ranger team and volunteers.
20. Burnham Beeches received Green Flag and Green Heritage award again this year in July

Stoke Common

21. The Friends of Stoke Common have continued with their monthly tasks to help manage Stoke Common. The two month long reptile survey finished in early June.
22. The local fire service have supported the ranger team by reviewing fire plans for Stoke Common and are planning a major 'familiarisation exercise' for local crews at the Common again for the summer of 2018.

The West Wickham and Coulsdon Commons

23. All sites have been successful in this year's round Green Flag judging. Green Heritage Award have been granted to Farthing Downs & New Hill, Riddlesdown, West Wickham Common and Kenley Common.
24. The vet has confirmed that 18 cows are in calf this year and can be expected to make an appearance in January 2018.
25. Ragwort pulling on Farthing Downs continued and several local community groups supported the rangers onsite such as Hillbillies, TCV's, CCV's and Skanska. They contributed 11 days within the last two weeks.
26. Hay making has started across the Commons including Coulsdon Common and Kenley Common.
27. Contractors have dug a trench around a section of Coulsdon Common (along Fox Lane and Coulsdon Road) following the recent spate of traveller incursions to the site.
28. The Head Ranger and Information Ranger attended a working group event on Happy Valley (adjacent to Farthing Downs) with the Downlands Project to look at grazing successes and good practice.
29. The West Wickham & Coulsdon Common Consultative Committee had a successful site visit to Riddlesdown Common in July. The group looked at recent tree safety works that had been completed earlier in the year and viewed/discussed new heritage interpretation panel.

Ashted Common

30. The arrangement with Surrey Wildlife Trust (SWT) for the supply of eight Belted Galloway cattle is working well. It currently seems unlikely that SWT will be in a position to offer us invisible fencing as an option for next year, pending DEFRA's consideration of the Best Practice Manual.

31. An Oak Processionary Moth site survey discovered four new nests in three locations, two of which were new. A sample survey of predicted high risk areas was undertaken, with a resulting estimate of the rate of infestation of 1%-2% of the oak trees. This means that several hundred nests could now be present on site. Currently whenever nests are discovered they are removed.
32. Staff and volunteers have been working hard on a dead or alive survey of the 1,100 veteran trees. This has been postponed with some areas still to survey due to the number of ticks present.
33. The Head Ranger met with representatives from the River Mole Catchment Partnership to assess the ongoing pollution of the Rye Brook, and consider if a reed bed filtration system could be introduced to limit the impact of pollution entering the brook. The South East Rivers Trust (members of the Partnership) is due to submit a quote for the design of such a system.
34. Ashtead Common was awarded both Green Flag and Green Heritage Awards.

Support Services

35. The Administration Assistant at Ashtead Common has now reduced her working week to four days. The P/T Administration Assistant at the Merlewood Estate Office will now work at Ashtead, when required, as cover.
36. The team is currently focussed on the arrangements for the Sky Heroes day, the biggest date in The Common's event calendar with an expected 5,000 visitors.

INCIDENTS

Burnham Beeches

37. A group of youths were captured on CCTV vandalising two gates at the café – the footage has been passed to the police
38. There were six incidents related to dogs, mostly DCO offences although one involved a visitor being bitten on the face. The latter was reported to the police.
39. There were two incidents of lost/missing people – in both cases they were found
40. Four incidents of fly tipping – several were of security tags from retail outlets.
41. One incident was reported by a lady with young children complaining about language being used during a dispute between two regular visitors
42. A man delivering goods to the café had his briefcase stolen from the van – this was also captured on CCTV and the footage has been passed to the police

- 43. An incident at each site of vehicles driving off road
- 44. Two Rangers attended an attempted suicide and assisted the emergency services. The lady was taken to hospital but we have had no updates of her subsequent health.
- 45. One incident of verbal abuse towards a Ranger who dealt with a visitor refusing to leave the site at the advertised closing time.
- 46. Some youths parked in front of a gateway, blocking access to their home for two elderly residents. The youths were found and asked to move.
- 47. One incident of vandalism to a public toilet.

Ashtead Common

- 48. An exploratory archaeological investigation was conducted on the Earthworks Scheduled Monument on the 17th and 18th of August. This was in response to the illegal removal of two bronze objects by a metal detectorist in March. Several interesting finds were made that prove that the Monument was the site of an Iron Age settlement, (as opposed a stock enclosure). However, nothing was discovered to put the two bronze artefacts into context. We await the final report.
- 49. A person that went missing from the Wells Estate near to Ashtead Common on July 2nd still has not been found. The Common was intensively searched by the police, the local community and our staff and volunteers. This case is unusual in the fact that the missing person relied on a mobility scooter to get around. The scooter had a range of 30 miles, and the police have now extended the search to areas beyond Epsom and Ashtead Commons.

The West Wickham and Coulsdon Commons

- 50. Coulsdon Common - A group of youths were reported chasing cows and sheep on several occasions in the Grove/Maze and rangers found a vandalised kissing gate. The group were spoken to by Rangers and they soon dispersed. There was also evidence of drugs being smoked. The East Coulsdon Safer Neighbourhood Team has been informed.
- 51. Farthing Downs & New Hill – Large amount of nitrous oxide canisters have been dumped – the rubbish has been removed and Safer Neighbourhood Team informed.
- 52. Farthing Downs & New Hill – Motorbikes across the common on several occasions – Police and Safer Neighbourhood Teams have been informed.

FILMING, MAJOR EVENTS AND OTHER ACTIVITIES

- 53. During the reporting period there were six events from the Burnham Beeches and Stoke Common event diary including –
- 54. Two well attended Simply Walks.

55. Burnham Beeches at War – this was attended by a veteran who had served at the Beeches during the WWII period.
56. The big community picnic was very successful with around 600 attendees.
57. The summer trail started in July as did the weekly nature based craft activities at the information point.
58. In addition: Burnham Beeches Radio Club held an event on the main common over the weekend of 24 and 25 June; and two Rangers attended an exhibition event based on outdoor learning at Burnham Beeches at the local infant and junior schools.

The West Wickham & Coulsdon Commons

Successful events at the WW&CCs included -

59. Flower walks across Riddlesdown and Coulsdon Commons – CC and RD Ranger.
60. Hidden History Walk on WWC – Senior Ranger .
61. Quarry in bloom walk – RD Ranger.
62. Enchanted Forest self-guided walk – KC Ranger.
63. Bat walk and moth night event on FD – FD Ranger & Information Ranger
64. Bat Walk – KC Ranger.
65. Bioblitz at Spring Park – Information Ranger.
66. Talk to Addiscombe and Shirley Rotary Club – Information Ranger.

Andy Barnard. Superintendent of The Commons
andy.barnard@cityoflondon.gov.uk
0207 332 6676

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Committee(s):	Date(s):
Epping Forest and Commons Committee	11 th September 2017
Subject: Public Spaces Protection Orders at Burnham Beeches. Dog Management Strategy, Enforcement Protocol, Authorisation of Officers, Level of Fixed Penalty and Signage.	Public
Report of: Superintendent of The Commons	For Decision

Summary

The Dog Control Orders at Burnham Beeches will automatically be treated as Public Spaces Protection Orders (PSPOs) from 20th October 2017.

Proposals to extend the PSPOs at Burnham Beeches for a further three years from 1st December 2017 were approved by this Committee in July 2017.

This report introduces, for approval, the updated Dog Management Strategy and Enforcement Protocol to be used to guide the enforcement, administration and monitoring of PSPOs.

The report seeks delegated authority to the Director so that nominated officers may be authorised to issue Fixed Penalty Notices in relation to PSPOs. The amount of the fixed penalty for breach of a PSPO also needs to be agreed.

This report additionally provides an update for your Committee on publicity and signage.

Recommendations

Members are asked to:

1. Approve the updated Dog Management Strategy and Enforcement Protocol for Burnham Beeches with effect from 20th October 2017.
2. Delegate authority to the Director of Open Spaces to authorise officers at Burnham Beeches for the purpose of issuing Fixed Penalty Notices in relation to Public Spaces Protection Orders.
3. Set the fixed penalty for breach of a Public Spaces Protection Order at Burnham Beeches at £80 with a reduction to £50 if paid within 10 days.
4. Approve the site signage arrangements.

Main Report

Background

1. Your Committee has received several previous reports advising that the existing Dog Control Orders (DCOs) at Burnham Beeches are in the process of being phased out and replaced by Public Spaces Protection Orders (PSPOs). Remaining DCOs will automatically be treated as PSPOs from 20th October 2017.
2. A report proposing to extend the use of PSPOs at Burnham Beeches from 1st December 2017 until 30th November 2020 was additionally approved by this Committee in July 2017.
3. That same report also outlined the need for your Committee to agree various matters relating to the enforcement of PSPOs, including authorisations for officers, the amount of any fixed penalty and an updated Dog Management Strategy (DMS).

Dog Management Strategy and Enforcement Protocol

4. The DMS currently guides the City's enforcement and administration of DCOs and will in future guide the enforcement and administration of the replacement PSPOs.
5. The Superintendent has reviewed and updated the DMS to demonstrate the City's commitment to good practice and this document is presented for consideration and approval by this Committee (Appendix 1).
6. An important element of the DMS is the Enforcement Protocol (Appendix 2) i.e. a description of the circumstances when FPNs will be issued, of any exemptions and the process by which prosecutions will be handled should the need arise.
7. The updated DMS and Enforcement Protocol, once approved, will be made publicly available prior to coming into effect on 20th October 2017.

Fixed Penalty Notices

8. PSPOs are enforced by the use of Fixed Penalty Notices (FPNs) and/or through the Magistrates' Court. FPNs can only be issued by officers who have been appropriately authorised. It is proposed that the officers authorised will be the eight Burnham Beeches Rangers who are currently responsible for enforcement of the DCOs.
9. It is recommended that the Director of Open Spaces is given delegated authority to authorise officers as and when necessary, for example following any change of staff. Your Committee granted such a delegation prior to the introduction of DCOs, in November 2014. However, for the avoidance of doubt, your Committee is asked to confirm that this delegation includes the new PSPO arrangements.
10. The Rangers, along with all other staff at Burnham Beeches, will undertake relevant training to maintain their detailed understanding of legal and operational issues. This again demonstrates your Committee's commitment to good practice.

11. It is also necessary to set the level of the fixed penalty for breach of a PSPO and any discount for early payment. It is recommended that the amount of the fixed penalty for breach of a PSPO is set at £80 - reduced to £50 if paid within 10 days. This reflects the current position for DCOs.

Signage

12. Site signage to describe how the separate orders apply 'on the ground' is currently of the pictogram style. This style is familiar to the visiting public at Burnham Beeches and it is proposed to retain it (Appendix 3). The existing signs additionally provide varying amounts of written information about the relevant offences and penalties involved. However they all make reference to the current DCOs and will therefore have to be updated. Signs are generally made from foamex which is easily replaced and cheap to produce whilst ensuring a high quality product. Signs are placed at regular intervals (as far as reasonably practicable) on the boundaries between the different orders, and are mounted on existing posts, gates, etc. wherever possible.
13. Existing maps showing the areas covered by the different orders across the site also make reference to the current DCOs and will therefore need to be updated. The new design is included in the DMS and will be produced as a sticky vinyl overlay. Again, this is a commonly used technique at Burnham Beeches and on other open spaces and ensures a relatively cheap, effective, high quality replacement should damage occur. These overlays will be used on all existing site signs that currently contain a map.

Corporate & Strategic Implications

14. The proposals support the Strategic aims of the City and Open Spaces Department by:

KPP5. Increasing the outreach and impact of the City's cultural, heritage and leisure contribution to the life of London and the nation by: Developing and improving the physical environment around our key cultural attractions; and providing safe, secure and accessible Open Spaces.

The proposals support the Open Spaces Departmental Objectives as follows: Improve the health and wellbeing of the community through access to green space and recreation.

Legal Implications

15. Replacement orders will be made once the DCOs at Burnham Beeches 'convert' to PSPOs on 20th October 2017, but before they expire on 30th November 2017, extending their effect for a further three years from 1st December 2017.
16. Under regulation 2 of the Anti-social Behaviour, Crime and Policing Act 2014 (Publication of Public Spaces Protection Orders) Regulations 2014 the City must publish a PSPO that it has made, extended or varied on its website. It must also cause to be erected on or adjacent to the public place to which the PSPO relates such notice (or notices) as it considers sufficient to draw the attention of any member of the public using that place to the fact that the PSPO has been made, extended or varied, and its effect.

17. Previous DEFRA guidance for DCOs made clear that the intention is not to see whole areas of land plastered with signs, but to see that common sense is applied. In practice, this means placing signs at entry points to parks and open spaces, for example on notice boards.
18. Under section 67 of the Anti-social Behaviour, Crime and Policing Act 2014 it is an offence for a person without reasonable excuse to do anything that they are prohibited from doing by a PSPO, or to fail to comply with a requirement to which they are subject under a PSPO. A person guilty of an offence is liable on summary conviction to a fine not exceeding level 3 on the standard scale (currently £1,000).
19. Under section 68 of the Anti-social Behaviour, Crime and Policing Act 2014 a constable or an authorised person may issue an FPN to anyone he or she has reason to believe has committed an offence in relation to a PSPO. An FPN is a notice offering the person to whom it is issued the opportunity of discharging any liability to conviction for the offence by payment of a fixed penalty.
20. 'Authorised person' means a person authorised for the purposes of that section by the authority that made the order, or a community support officer. The fixed penalty specified in the FPN must not be more than £100. An FPN may also specify two amounts and state that, if the lower of those amounts is paid within a specified period (of less than 14 days), that is the amount of the fixed penalty.

Financial Implications

21. The cost of updating all foamex & vinyl signs (over 200 signs) will be around £1700.
22. Adaptations to the maps displayed on site to reflect changes in legislation from DCOs to PSPOs will be in the region of £600.
23. All costs outlined in this report will be met from local risk budgets.

HR implications

24. Staff at Burnham Beeches will undertake a PSPO training course in the coming weeks to support their already extensive experience of enforcement matters.

Public Relations implications

25. The introduction of PSPOs remains unpopular at Burnham Beeches amongst a minority of site visitors and there is a risk of bad publicity. Individuals or organisations may reiterate their views in local and national media.

Conclusion

26. The Dog Management Strategy and Enforcement Protocol have been reviewed and updated to reflect the change from DCOs to PSPOs. It is proposed that the existing arrangements for issuing FPNs, and the amount of any fixed penalty, should remain unchanged following the transition. It is also

proposed that the existing signage arrangements on site should remain the same, apart from the installation of new maps using the updated terminology. Various Committee approvals are now sought for each of these issues.

Appendices

- Appendix 1 – Dog Management Strategy for Burnham Beeches
- Appendix 2 – Enforcement Protocol
- Appendix 3 – Pictogram style signage

Background Papers:

- The introduction of Dog Control orders at Burnham Beeches - Sept 2014
- Effectiveness of Dog Control Orders - January 2017
- Dog Control Order review – January 2017
- Proposed Introduction of PSPOs, results of public consultation – July 2017

Andy Barnard

Superintendent of The Commons.

T: 0207 332 6676

E: andy.barnard@cityoflondon.goc.uk

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A Dog Management Strategy for Burnham Beeches. Achieving a balance for all site visitors.

Section 1. Statement of intent.

The City of London's Epping Forest and Commons Committee approved the introduction of Dog Control Orders (DCOs) at Burnham Beeches National Nature Reserve (NNR) in 2014. Under the Anti-social Behaviour, Crime and Policing Act 2014 these DCOs have effect as if they were Public Spaces Protection Orders (PSPOs) from 20th October 2017. The Epping Forest and Commons Committee resolved in July 2017 to extend their effect for a further three years from 1st December 2017. This document sets out the reasons for maintaining the PSPOs and how the City of London will enforce them.

Section 2. Aim.

The aim of the PSPOs at Burnham Beeches is to deal effectively with dog related issues that have had a detrimental effect on the quality of life for those visiting the site and have been of a persistent and unreasonable nature over many years. The PSPOs aims to encourage responsible dog ownership and thereby:

- i. Ensure a fair and proportionate balance between the needs of visitors so that all can enjoy the site
- ii. Minimise the number of dog related incidents and complaints recorded each year
- iii. Ensure the efficient use of local resources to minimise the impact of dog control management on the resources available to manage the site
- iv. Assist the City of London to meet its obligation under the Open Spaces Act 1878, Natural Environment and Rural Communities Act 2006, and other legislation.
- v. Assist the City of London in its legal duty to protect and conserve the ecology and biodiversity of Burnham Beeches.

Section 3. Background.

The 540 acres known as Burnham Beeches was acquired 'in perpetuity' by the City of London between 1880 and 1990 under the City of London Open Spaces Act 1878. The site is highly valued and protected both as a public open space and for the extraordinary range of rare habitats and species found within its boundaries. The Beeches was declared a **Site of Special Scientific Interest** in 1951, a **National Nature Reserve** in 1993 and a **Special Area of Conservation** (EU Habitats Directive, 1992) in 2005.

For the last two decades, the principle aim of the management of Burnham Beeches has been to protect the site from the growing impact of urbanisation at its fringes. In this manner it has helped to protect the quality of life of those who visit the site or live in its locality.

The City of London Corporation is required to maintain a balance between the needs of the various site users. Burnham Beeches welcomes around 551400 visits a year (2015/16), an increase of 1.9% from the previous estimate of 2012/13. Visits to the site are currently increasing by around 4,000 visits per annum and are likely to continue to do so for the foreseeable future due to the considerable development taking place and planned in the local area. As such, pressure on the site will only increase over the next 20 years. Dog walking is a popular pastime at the Beeches with around 150 000 dog visits to the site each year. This equates to approximately 681 dog visits for every hectare of the Reserve.

The City of London recognises the benefits of dog walking, particularly as a healthy activity that encourages physical and mental wellbeing. Dog walkers also contribute to the site via income generated through weekend car park charges and site donations.

To help balance the needs of dog walkers with those of other visitors and the demands of site management the City of London to date has:

- Consulted upon and introduced a local dog walking code including agreement on the definition of ‘effective control’
- Consulted upon and produced an overarching Open Spaces ‘Dog Walking Policy’
- Enforced the site’s byelaws when dog walking has led to serious incidents such as harm to people, other dogs, wildlife and livestock
- Conducted site surveys to investigate the impact of dog walking on the site and its users
- Determined an accurate measure of the number of dog visits to the site each year
- Recorded the number of dog related complaints and incidents each year
- Consulted upon and introduced DCOs on 1st December 2014
- Actively monitored and publicly reported on the impact of DCOs on dog-related incidents at Burnham Beeches
- Conducted a survey to establish visitor attitudes to the continuation of measures introduced under DCO’s in 2014 at Burnham Beeches for a further three years as a Public Spaces Protection Order from 1st December 2017

Section 4. The current situation and evidence of need.

Surveys indicate between 35% & 40% of visits to Burnham Beeches include a dog. It is important to note that many dog walkers visit the site several times per week / day; when viewed in terms of numbers of individual visitors to the site, dog walkers represent a small minority of the annual total of individual visitors. However, due to their higher visit frequency this relatively small group of regular site users has the potential to have a disproportionate impact on other site users.

Voluntary Dog Code (2003-2014)

A voluntary dog code, providing guidance for visitors bringing a dog to the site, was introduced following a detailed visitor consultation in 2003. The code asks visitors with a dog to do a few simple things: to always clear up after their pet when it fouls; to ensure their dog always wears a collar with an ID/contacts tag on it; to ensure their dog is always kept under effective control; and to ensure their dog is not allowed to disturb or chase other visitors, wildlife or livestock. The consultation also defined what site visitors viewed as being under effective control i.e. *a dog that is either kept in it’s owners sight at all times and returns immediately when called or is kept on a lead.*

In 2007 a new café, toilet block and information centre were provided for visitors. Small voluntary dog exclusion & dogs on-lead zones were introduced around these buildings where so many different users were focused into a small area and where food was being bought and consumed.

Despite the introduction of the code, poor dog behaviour continued to head the list of formal complaints from site users. Generally, these related to a visit that had been spoilt in some way. In addition the site’s Rangers recorded and dealt with between 175 – 250 dog related incidents each year: many were of a nuisance nature but some were more serious in their impact on visitors or wildlife. It is important to note that this data does not provide an absolute number of incidents occurring on the site each year, simply a standardised, measurable and repeatable sample that can be compared over the years. Incidents fall into the following categories:

- Dog faeces found on site (bagged or un-bagged and despite the availability of bins)
- Dogs seen running loose around the site without the owner in sight

- Dogs approaching visitors and causing nuisance
- Dogs being seen to chase (and sometimes kill) wildlife and livestock
- Physical harm caused to people such as bites or broken limbs
- Harm caused to private property such as clothing and personal equipment
- Dogs attacking other dogs and causing harm
- Excessive barking
- Dogs stealing food from picnics
- Poor control of dogs by their owners
- Dogs being killed or injured on the public roads that run through the site
- Aggressive responses from dog owners when their pet's behavior is challenged
- Large groups of dogs being walked by a small number of owners (this includes professional dog walkers using the site for business purposes)

The City of London is aware that many dog walkers strive to meet the standards required by the site's dog walking code and the voluntary on-lead/exclusion zones around the cafe. However, this evidence suggests that a significant minority struggle to meet these standards without the use of more formalised rules to support them.

Existing bylaws.

Burnham Beeches has its own bylaws and these are enforced under the Local Government Act 1972. As far as dog walking is concerned the site's bylaws are limited, requiring only that:

- Dogs wear a collar and ID tag
- Dogs do not chase wildlife or livestock
- Dogs are kept under 'effective control'

Dog Control Orders (2014-2017)

In December 2014, five DCOs were introduced at Burnham Beeches covering the same issues and geographical areas as the PSPOs. The DCOs were introduced to reinforce & support the site's bylaws and the voluntary dog code on fouling, confirm the voluntary dogs on-lead and exclusion zones directly around the café, and support the need for dogs brought to the site to be under effective control. The DCOs created a dogs on-lead area where all visitors, non-dog walker and dog walker alike, can be certain how a dog will behave and in the rest of the site (where dogs can be off lead), provide a method of enforcing the need to put a dog on a lead if it cannot otherwise be kept under effective control.

Since the DCOs were introduced there has been a dramatic reduction in dog mess found on the site. The effect is most marked in the areas where dogs are required to be on a lead at all times. That having a dog on a lead improves the owner's awareness of when the dogs foul and therefore likelihood of the foul being cleared is perhaps no surprise. It is interesting to note that there is some indication that more dog mess is left in the off-lead area in the winter period when daylight hours are shorter. This effect may be due to the relative difficulty of monitoring dog behavior in darker conditions, perhaps indicating a further benefit concerning the use of leads under these conditions.

There has been a sharp decline in the number of both nuisance and serious dog issues dealt with and reported each year. This decline is reflected across the whole site.

There has also been a sharp decline in serious dog related incidents on site with no serious 'dog not under effective control' incidents in the dogs on-lead area. All that have occurred have done so in the dogs off-lead areas.

The number of lost dogs reported or dealt with by staff has also decreased.

The use of DCOs at Burnham Beeches has resulted in reductions in ‘nuisance’ and serious ‘dogs out of control’ incidents in a way that was never achieved through the voluntary code and use of site bylaws. This indicates that the continuation of the controls introduced by DCOs is necessary through the use of PSPOs.

The Burnham Beeches Ranger Service continues to proactively encourages good behaviour by visitors, be it dog walking or any other of the wide range of activities that occur.

To support dog walkers, The Beeches:

- provides a dog waste removal service, including dog waste bins and bags, at no cost to visitors
- provides and maintains a specific dog-friendly seating area at the Beeches Café
- provides a free ‘Fact Sheet’ so that dog walkers understand the dog controls
- advertises the local dog walking code via its website, in newsletters and on public notice boards
- organises a number of dog-friendly events

Visitor Access Strategy

Burnham Beeches has the highest density of visitors per hectare of any site of high nature conservation value in England and Wales.

1: Burnham Beeches (6.9 visitors/Ha/day)
2: Richmond Park (6.3/Ha/day)
3: Sherwood Forest (5.3/Ha/day)

Given the City’s permanent and dual role to ensure the enjoyment of the site by visitors *and* to protect its natural aspect, it is necessary to do all that is reasonably possible to reduce the risk of long-term harm to the Reserve. In recent years the site’s Access Strategy has mitigated these impacts as far as possible by concentrating visitor activity to the most robust parts of the site thereby providing an area elsewhere on the Beeches for people and wildlife to co-exist. This has been achieved by closing two miles of internal roads (once used as part of the public road network) and repositioning and improving facilities such as car parks, site café, toilets and information point near the Main Common. The PSPO zones (see map on page 6) to control where dogs may and may not be on a lead build on this extensive body of work and represent the last major element in the management of visitor activity in the current Management Plan.

The impact of ‘urban effects’ (housing development etc.) and potential links to the decline in quality of several habitats at Burnham Beeches also remains a concern with particular reference to dog fouling and the levels of phosphorous and nitrogen deposited on to otherwise nutrient poor soils. Other issues also have an impact when considered in combination with the aforementioned such as the background stress of climate change, increased drought, changes to air quality, disruptions to site hydrology, trampling and soil compaction. All of these factors give added relevance to having an effective visitor access strategy.

Section 5. Summary of consultations with the community to date.

Dog Control Order Survey 2013.

The purpose of the 2013 visitor survey was to inform the final delivery of DCO’s across the site and ensure that they were demonstrably proportionate to need.

Visitor Numbers Site Survey 2015/ 16

This survey indicated that:

- 551 400 visits to the Beeches take place each year.
- 150 000 dog visits to the Beeches occur each year (over 400 dog visits each day).

- 162 000 visits were made by children each year (as opposed to around 96 000 visits /year in 2010/11 pre DCO and car park charges).
- The vast majority of visitors, including dog walkers, arrive at the site in the dogs off lead area and have a choice as to whether they wish to stay there or proceed into the dogs on lead area.

Public Spaces Protection Orders Survey 2017

The purpose of the 2017 visitor survey was to inform the delivery of PSPOs across the site and ensure that visitors and the local community supported the need for such orders to deal with the problems caused by the activities of dogs and those in charge of them whilst achieving the aims set out in Section 2 of this document. See section 16 for details of survey results.

Section 6. Description of powers to be used.

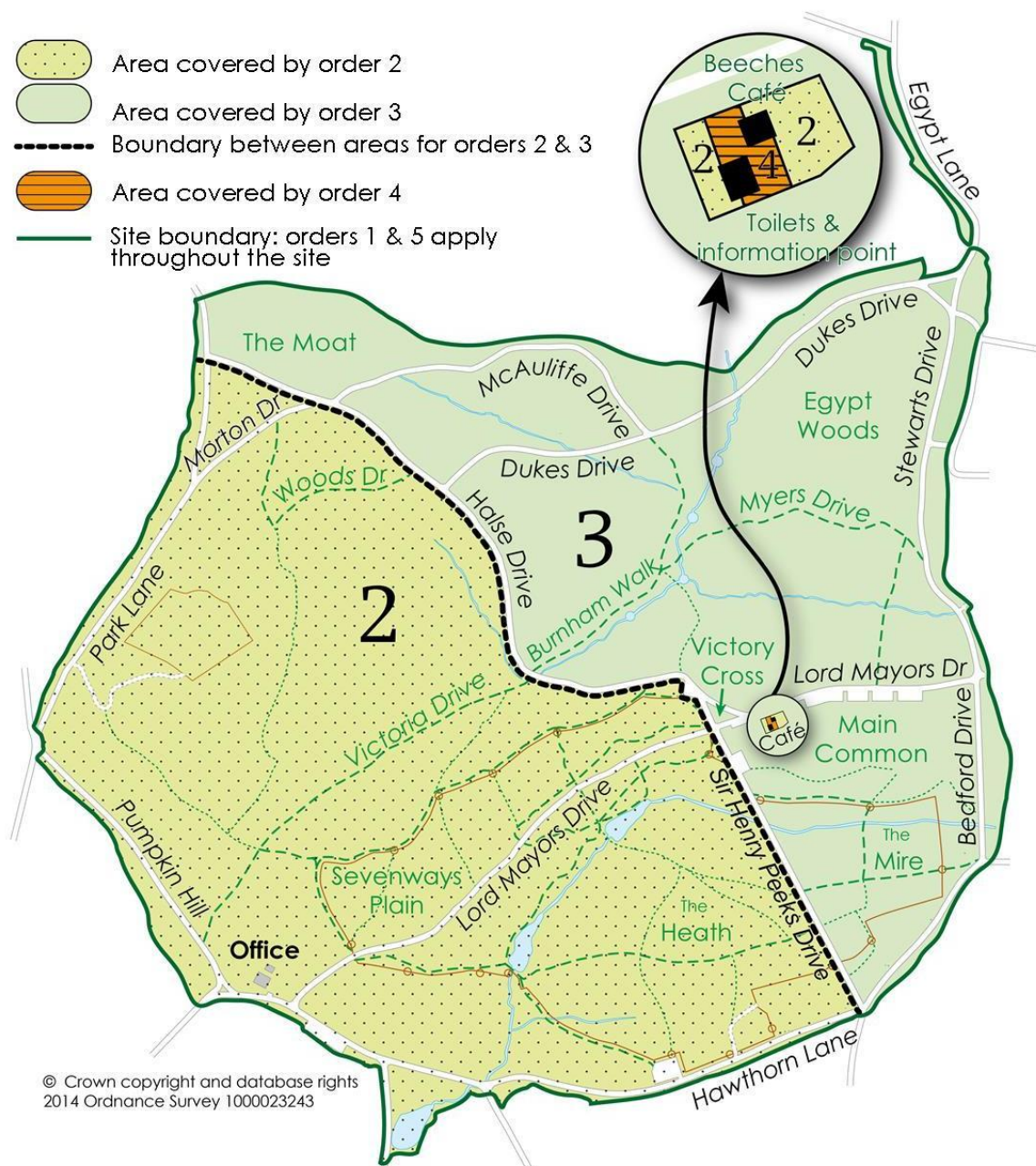
The Anti-social Behaviour, Crime and Policing Act, 2014 provides powers to tackle a range of antisocial-behavior issues including those relating specifically to dogs. The Public Spaces Protection Orders made by the City cover a wide range of common dog walking related issues and offer an offender the opportunity to avoid an appearance at magistrates' court by the acceptance of a Fixed Penalty Notice (FPN). Should that opportunity be declined by the offender (either at the time of the offence or by failure to pay the fixed penalty notice) then the matter will be taken to magistrates' court where a fine of up to £1000 is possible plus costs.

Section 7. Areas covered by the Public Spaces Protection Orders at Burnham Beeches.

- Order 1.** Failing to remove dog faeces. Applies to 100% of the site.
- Order 2.** Not keeping a dog on a lead (max length of lead 5m). Applies in the areas marked **2** on the map
- Order 3.** Not putting and keeping a dog on a lead when directed (told) to do so by an authorised officer. Applies in the area marked **3** on the map. Maximum lead length of 5m.
- Order 4.** Permitting a dog to enter land from which dogs are excluded. This applies in the area marked **4** on the map i.e. the immediate vicinity of Burnham Beeches café.
- Order 5.** Take more than the specified (allowed) number of dogs (which a person may take) onto land. The specified number of dogs is a maximum of 4 and applies to 100% of the site.

The areas where these apply are shown on **Map 1** (Burnham-Beeches-PSPO-Map) and are identical to those covered by the 2014 – 17 DCOs.

Map 1 (Burnham-Beeches-PSPO-Map)



Section 8. When the powers will be used.

The City of London intends that the Public Spaces Protection Orders described above will apply every day throughout the year. The Act allows the City of London to prosecute in the magistrates' court, those that are suspected of an offence against a Public Spaces Protection Order. The Act also gives the power to the City of London to authorise staff to issue fixed penalty notices (FPNs) to alleged offenders as an alternative to prosecution in the magistrates' court.

Section 9. Setting the levels of fixed penalty and payment options.

The City of London may specify the amount of a Fixed Penalty for orders it has made. It may also decide to provide a discount for early payment. This Dog Management Strategy defines those amounts as follows:

1. The amount for each offence will be £80.
2. The amount payable shall be reduced to £40 for each instance if paid within 10 days of the offence.

Section 10. Ensuring equality.

When considering where the PSPOs will apply, and the form they will take, the City of London will ensure powers are used in a fair, even handed and consistent manner. It will use, as a minimum standard, the guidance provided by DEFRA. (**Appendix 1: DEFRA - Dealing with irresponsible dog ownership - Practitioner's manual**)

Information

The City will continue to inform visitors of the importance and legal status/requirements of the site in terms of recreation and nature conservation and the need to improve and then maintain the balance between all visitor activity and wildlife. The City will actively promote the existence of the PSPOs, the behaviours it covers and areas it applies to. It will also continue to provide a Burnham Beeches Dog Control Fact Sheet to provide a clear definition of the expected standards of behavior when walking dogs on the nature reserve. (**Appendix 2: PSPO-fact-sheet**)

Alternative Provision

DEFRA guidance states that where restrictions are in place, authorities should look to provide other suitable dog walking areas in the locality. The City provides 220 acres at Burnham Beeches and a further 200 acres at Stoke Common where dogs can be walked off-lead; this provision meets DEFRA guidance and also animal welfare requirements.

Staff and training

The staff of Burnham Beeches are professional, highly trained individuals with a high degree of experience in dealing with members of the public and the challenges that occur when promoting difficult messages e.g. byelaw enforcement, Parking Charge Notices & Dog Control Orders. The City will continue to provide regular training of staff whose role it will be to enforce FPNs.

Enforcement Protocol

The site will also adopt and publish a standard enforcement protocol to ensure appropriate use of FPNs. (**Appendix 3: PSPOs-enforcement-protocol**)

Visitors with disabilities and Assistance Dogs

Dog owners who are registered disabled and those with assistance dogs trained by a prescribed charity* will, in appropriate circumstances, be exempted from the Public Spaces Protection Orders for Burnham Beeches. There are exceptions - a FPN may still be issued if the disability does not preclude the person from abiding by a PSPO (e.g. being deaf would not prevent an owner from clearing up after their dog has fouled). **Each of the following is a prescribed charity - Dogs for the Disabled (registered charity number 700454), Support Dogs (registered charity number 1088281, Canine Partners for Independence (registered charity number 803680).*

Juveniles

The City of London will also have due regard to its obligations when the offence is committed by a juvenile i.e. under the age of 17.

Site signage

DEFRA guidance states that *'it is good practice for signs to be erected on the perimeter explaining the restrictions or requirements that are in place and the area to which they apply. Where a PSPO applies to dog fouling signs warning the public that it is an offence not to clear up and properly dispose of dog faeces should be placed at regular intervals'*.

Appropriate information will be permanently presented to the public at all gated site entrances. Due to the nature of the site, signage will also be erected at appropriate intervals where practicable. Signage locations at

Burnham Beeches for the previous Dog Control Orders (2014-17) satisfies this guidance and was updated to reflect the change to PSPOs on 20th October 2017.

Other methods of presenting PSPOs information to the public

The Public Spaces Protection Orders and other relevant information such as this Dog Management Strategy, the site's Enforcement Protocol and PSPO map will be made available to all site users via the Burnham Beeches web site and by other local means such as site fact sheets, newsletter and public notice boards. The site's Ranger Service will raise awareness of the PSPOs as part of their normal duties.

Section 11. Monitoring the effectiveness of Public Spaces Protection Orders.

To ensure the effectiveness of the PSPOs it will be necessary to identify and monitor suitable indicators. This may include:

1. The number of FPN's/formal warnings issued each year.
2. The degree of compliance (payment).
3. The number of dog related incidents each year that do not receive FPN's.
4. The number of dog related complaints each year.
5. The number of dogs being brought to the site.
6. The number of cases that reach magistrates' court each year.

Section 12. Enforcing through the magistrates' court.

There are several reasons why offences under the Public Spaces Protection Orders may be taken to magistrates' court. These include:

1. The incident is deemed to be of a serious enough nature (including first offences) that the City of London may choose not to issue an FPN but take the matter straight to magistrates' court.
2. An individual refuses to give their personal details (name, address etc.) to an authorised officer thereby preventing the issuing of an FPN.
3. An individual refuses to pay an FPN or otherwise elects to challenge the PSPO offence for which the FPN was issued.
4. Repeat breaches of a Public Spaces Protection Order by an individual.
5. An individual refuses to accept an FPN and/or disputes the offence.

Under such circumstances the City Solicitor will provide guidance and expert advice to the Superintendent and Ranger Service to ensure the proper presentation of evidence at magistrates' court (attending as required).

Section 13. Use of receipts.

The City of London intends to use any income (receipts) generated by the enforcement of the Public Spaces Protection Orders to support the overall cost of dog management at Burnham Beeches.

Section 14. Reporting

The City of London will maintain and make available records concerning the administration of the PSPO including:

- The number of FPNs issued
- The number of FPNs pursued through the courts and the costs awarded.
- Receipts and their use

This information will also be made available via public reports to the Epping Forest and Commons Committee and the Burnham Beeches Consultation Group, and may also be publicised on site.

Section 15. The review process.

Members of the Epping Forest and Commons Committee will be provided with a summary report on the effectiveness of the PSPOs in January 2020.

Section 16. Who has been consulted on these proposals

(See also section 5 for other consultation details).

Consultation Phase 1 - face to face survey of site users (April 2017).

This survey assessed the views of a representative sample of all visitor types who use the site, including dog walkers.

This element of the consultation exercise formed the first part of the City's commitment to meeting the statutory requirements in section 72 of the Anti-social Behaviour, Crime and Policing Act 2014 i.e. 'to carry out the necessary consultation, publicity, and notification prior to making a decision to extend a PSPO'. The survey collected information concerning visitors' views of the site, the type and duration of their activities and provided an opportunity for visitors to either agree or disagree with the existing DCOs and the proposal to extend them as PSPOs until 2020.

The full results of this survey are contained in **Appendix 4** but findings are summarised in table 1 and Charts 1 & 2 below and show that there was good to very high public support for the continuation of all 5 DCOs as PSPOs until November 30th 2020.

Table 1 & Chart 1 – response on whether to extend the duration of the existing DCOs as PSPOs

Table 1

Proposal to extend duration of <u>existing</u> powers relating to....	Agree	No Strong opinion/Don't know/No answer	Disagree	Total
Dogs fouling	352 (95%)	9 (2%)	8 (2%)	369 (100%)
Dogs on leads	212 (57%)	38 (10%)	119 (32%)	369 (100%)
Dogs on leads by direction	336 (91%)	17 (5%)	16 (4%)	369 (100%)
Dog exclusion area	295 (80%)	40 (11%)	34 (9%)	369 (100%)
Maximum number of dogs	337 (91%)	23 (6%)	9 (2%)	369 (100%)

Chart 1

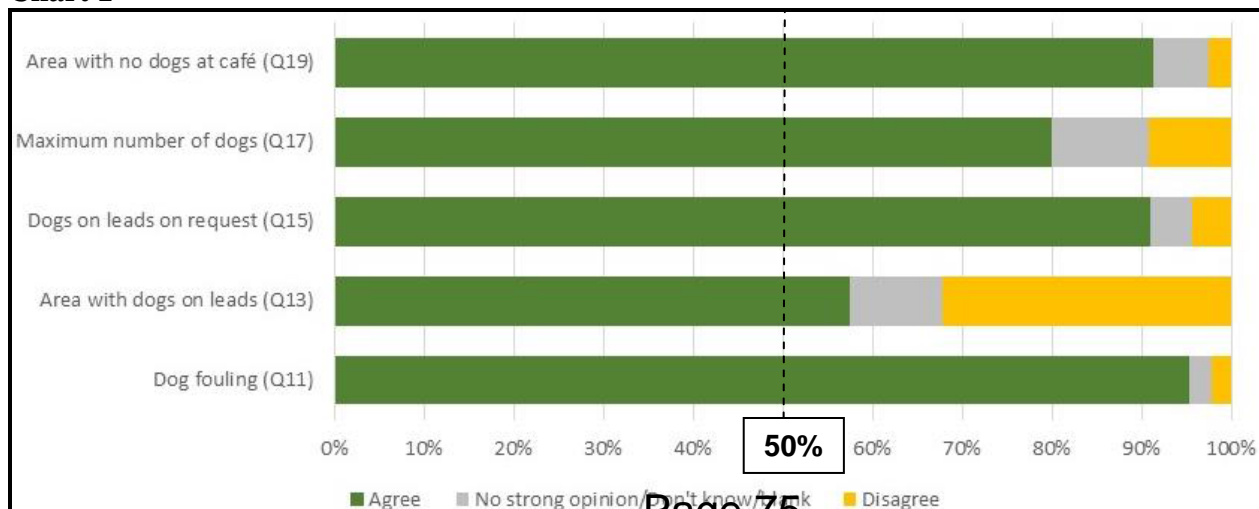
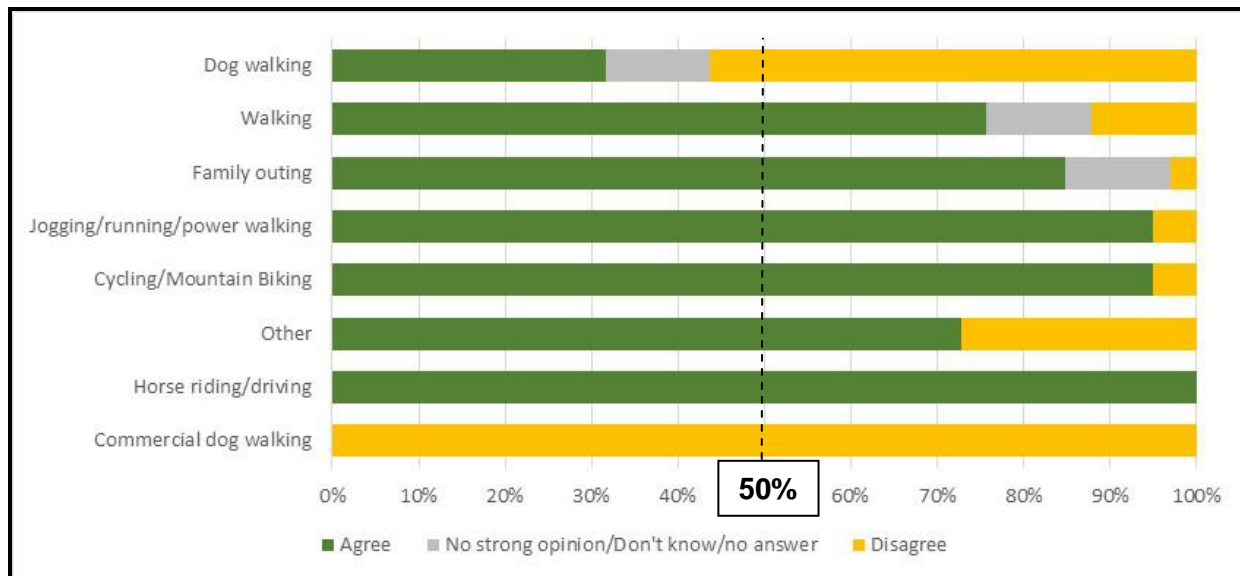


Chart 2 shows that 81% of non-dog walkers agreed that the existing ‘dogs on leads at all times’ area should be maintained for a further 3 years as did 32% of dog walkers. This data defines the gulf in opinion between non dog walkers, who form the vast majority of site visitors, and those of some dog walkers, who form the minority of site visitors.

Chart 2 – Dogs on leads at all times area – outcome - by user group



Consultation Phase 2 – public notices, statutory and non-statutory consultees.

This element of the consultation exercise formed the second part of the City’s commitment to the statutory requirements in section 72 of the Anti-social Behaviour, Crime and Policing Act 2014 i.e. ‘to carry out the necessary consultation, publicity, and notification prior to extending a PSPO’. During this phase a wide variety of statutory and non-statutory organisations were consulted and this also included a further opportunity for public comment.

The Phase 2 consultation followed and exceeded the statutory requirements and the guidance provided by DEFRA. It commenced on 1st May 2017 and ended at midnight on 15th June 2017. Public notices were published in the local press, local sign boards, and local village notice boards and on the Burnham Beeches website.

60 individual organisations and their representatives were proactively approached for their views. Those consulted were either legally required to be consulted or were generally recognised as using the site and it was therefore considered appropriate to include them in the consultation. There was 100 percent support from all statutory consultees and the large majority of non-statutory consultees that responded.

The following organisations supported the proposals to convert and extend the existing DCOs as PSPOs.

- i. South Bucks District Council - **Statutory**
- ii. The Chief Constable – Thames Valley Police – **Statutory**
- iii. The Police and Crime Commissioner – **Statutory**
- iv. The National Trust – A neighbouring open space that manages a visiting audience that is at least in part shared with Burnham Beeches.
- v. The Dogs Trust - who provided clear guidance as to their opinion of the best use of PSPOs and had previously supported the introduction of DCOs.
- vi. Farnhams Parish Council

The following organisation did not support the conversion and extension of the existing DCOs as PSPOs:

- i. The Kennel Club (KC) acknowledges that the DCOs have been effective since their introduction but

continues to be of the opinion that the Dogs on Leads by Direction Order is sufficient to maintain the reduction in dog related issues across the entire site. The KC also submits that the use of the Dogs on Leads Order is overly restrictive and cannot be justified within the PSPO framework.

The Open Spaces Society (OSS) put the matter to their membership. No Society members responded so the response from the OSS was ‘no comment to make’ on the proposals.

Phase 2 responses were also received from 34 members of the public. Twenty four respondents were against some or all of the proposed PSPOs; of those 24, 83% were dog walkers and 71% had previously signed an iPetition (see below). Ten respondents gave their support for the proposals and provided a range of reasons for their views; of those 10, 30% were dog walkers and none had signed the iPetition. The unusually high proportion of dog walkers responding to Phase 2 shows the importance of gaining a balanced view via random sampling as adopted by the Phase 1 site survey, to ensure that information was available from a wide range of site users.

iPetition.

An iPetition proposing an alternative PSPO set up was organised by a local dog walker. The petitioner presented supporting evidence at the meeting of the Burnham Beeches Consultation Group in January 2017 and subsequently met with the Chairman and the Director of Open Spaces and Heritage. At the time of the decision to extend PSPO in July 2017, the iPetition had accumulated 340 supporters since going live on March 8th. Many also responded to the Phase 2 consultation and had provided the large majority of comments received from individuals. The iPetition was included with all other consultation responses in the report to the City’s Epping Forest and Common Committee (EFCC) meeting 3rd July 2017.

Section 17. Conclusion.

Public Spaces Protection Orders are a tool the City of London will use to help ensure the enjoyment of Burnham Beeches by visitors and to protect its natural aspect. Correctly delivered and as part of the wider visitor access strategy, the use of PSPOs will help to minimise the occurrence of nuisance/antisocial dog related incidents, improve the visitor experience and reduce any negative impacts of the high volume of dog visits.

In deciding whether to extend PSPOs at Burnham Beeches the Epping Forest and Commons Committee (EFCC) members carefully considered all of the representations received during the consultation process. The decision to extend the effect of the existing DCOs at Burnham Beeches as PSPOs until 30th November 2020 was made at the EFCC meeting on 3rd July 2017.

Appendix 1 : DEFRA Dealing with irresponsible dog ownership Practitioner’s manual October 2014

Appendix 2 : PSPO - Fact-sheet

Appendix 3 : PSPO-enforcement-protocol.

Appendix 4 : Burnham-Beeches-PSPO/-consultation-results

Please use the following link for further information:
<http://www.cityoflondon.gov.uk/things-to-do/green-spaces/burnham-beeches-and-stoke-common/visitor-information/Pages/>

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Burnham Beeches

Enforcement Protocol for Public Spaces Protection Orders (“PSPOs”)

The purpose of this protocol is to establish and promote a standardised approach to PSPO enforcement at Burnham Beeches including the procedure to be followed by those with powers to issue fixed penalties, with guidance as to the circumstances in which they should be issued.

All officers will ensure they defer to this protocol when making enforcement decisions. Application of this protocol should be in conjunction with the Dog Management Strategy (DMS) for Burnham Beeches.

In carrying out any enforcement activity the City of London will abide by, and be informed by, the principles of:

- **Enforcement** - based around firm and fair regulation
- **Proportionality** - degree of the risk of harm caused (precautionary principal)
- **Consistency** - a similar approach in similar cases to achieve similar outcomes within which a degree of discretion is available
- **Transparency** - helping people to comprehend what is required of them to include details of any rights of appeal
- **Targeting** - directing regulatory effort effectively using a risk based approach

Under section 75 of the Anti-social Behaviour, Crime and Policing Act 2014 (ABCPA) the pre-existing Dog Control Orders at Burnham Beeches have effect as if they were PSPOs from 20th October 2017. The City of London has resolved to extend their effect for a further three years from 1st December 2017. It is an offence under section 67 of the ABCPA not to abide by the requirements of the PSPOs. At Burnham Beeches each of the PSPOs shown below can be enforced by constables and authorised officers – i.e. trained and authorised City Of London Staff (in this case site Rangers) - and Police Community Support Officers accredited under Police Reform Act 2002. **The maximum fine on conviction of any breach of the PSPOs in the Magistrates’ Court is level three on the standard scale (currently up to £1000) per offence.**

Description of offences under the PSPOs for Burnham Beeches are:

- **Order 1** - Failure to remove dog faeces from anywhere at Burnham Beeches.
- **Order 2** - Not keeping a dog on lead (max length 5m) in specified areas.

- **Order 3** - Not putting, and keeping, a dog on a lead (max length 5m) when directed to do so by an authorised officer of the City of London (Ranger) in a specified area.
- **Order 4** - Permitting a dog to enter land from which dogs are excluded. Small specified area around the café.
- **Order 5** - Taking more than four dogs onto land. Applies anywhere on Burnham Beeches.

Under sec. 68 of the ABCPA Fixed penalty notices (referred to as FPNs) can be issued by authorised officers, site Rangers, at Burnham Beeches in relation to the offences listed above. These notices provide a quick, visible and effective way of dealing with the offence under ABCPA and an alternative to prosecution.

A fixed penalty is not a fine. Payment of the penalty by the recipients discharges their liability to prosecution for the offence for which the FPN was issued. It does not constitute an admission of guilt, but removes the possibility of the creation of a criminal conviction.

When the powers will be used?

The Anti-social Behaviour, Crime and Policing Act (ABCPA) 2014 empowers the City of London to prosecute in the Magistrates' court, those that are suspected of an offence against a Public Space Protection Order. As an alternative to prosecution in the Magistrates' Court, the Act gives the power to the City of London to authorise staff to issue fixed penalty notices (FPN's) to alleged offenders as an alternative to prosecution. The collection of FPN payments will be undertaken by District Enforcement Limited on behalf of the City of London. All prosecutions in the Magistrates' Court will be undertaken by the City of London's own Solicitors.

When do the powers apply?

The Public Space Protection Order at Burnham Beeches applies throughout the year, 24 hours a day.

Levels of fixed penalty and payment options

The City of London has set the amount of a Fixed Penalty for each offence against the order it has made at £80. The amount payable shall be reduced to £50 in each instance if paid within ten days of the date of issue of the FPN.

Guidance on enforcing all five of the PSPOs at Burnham Beeches including for issuing an FPN

The City of London will not immediately seek to prosecute/issue a FPN for any PSPO offence witnessed by authorised enforcement officers i.e. it will not adopt a zero tolerance approach to enforcing the PSPOs at Burnham Beeches all breaches will be considered on their individual merits. Anyone

seen contravening any PSPO at Burnham Beeches will be approached and, where reasonably practicable, given the opportunity to put the matter right unless the infringement is so serious that formal enforcement is merited or the individual has persistently infringed the PSPO in the past or the matter simply cannot be put right (e.g. offender has no bag to clear up when a dog fouls).

1: Offence - a person in charge of a dog is seen to fail to remove faeces anywhere on Burnham Beeches.

Exceptions – a person will not be guilty of an offence if that person:

- Is registered as a blind person in a register compiled under section 29 of the National Assistance Act 1948 or
- Has a disability which affects his mobility, manual dexterity, physical co-ordination or ability to lift, carry or otherwise move everyday objects, **in respect of a dog trained by a prescribed charity* and upon which he relies for assistance, or**
- Has a reasonable excuse for failing to clear up – all breaches will be considered on their individual merits, if in any doubt as to validity of any reasonable excuse officers will issue an FPN and advise recipients of the appeal process if they feel they may have a reasonable excuse, or
- Has permission of the City of London, as landowner, in writing from the Superintendent of The Commons, not to clear up the dog faeces.

Examples of things that are not considered to constitute a “reasonable excuse”:

- Unaware dog had fouled
- Having no means to clear up the foul (i.e. no bag)
- Being unaware the PSPO is in place
- Not being the owner of the dog but simply walking it on behalf of another person

2: Offence - A person in charge of a dog allows it to be off lead in the dogs on lead areas or on a lead longer than 5m in length.

Exceptions – a person is not guilty of an offence if that person:

- has a reasonable excuse for not having the dog on a lead – if in any doubt as to validity of any reasonable excuse, officers will issue an FPN and advise recipients of the appeal process if they feel they have a reasonable excuse, or
- has permission of City of London, as land owner, in writing from the Superintendent of The Commons, not to have a dog on a lead.

Examples of things that are not considered to constitute a “reasonable excuse”:

- Not having a lead with them to put the dog on
- Being unaware the PSPO is in place
- Not being the owner of the dog but simply walking it on behalf of another person

3: Offence - a person in charge of a dog does not comply with a direction given to him by a Ranger to put his dog on a lead of not more than 5m in length if reasonably necessary to prevent nuisance or behaviour by the dog to cause annoyance or disturbance to any other person or the worrying or disturbance of any animal or bird.

In effect we will ask for dogs to be put on a lead if they are not under effective control as defined by the current dog code – i.e. when off a lead a dog must be in the owner's sight at all times, return when called and not be allowed to disturb/chase/worry any other visitors, wildlife or livestock.

Exceptions – a person is not guilty of an offence if that person:

- has a reasonable excuse for not having the dog on a lead – if in any doubt as to validity of any reasonable excuse, officers will issue an FPN and advise recipients of the appeal process if they feel they have a reasonable excuse, or
- has permission of City of London, as landowner, in writing from the Superintendent of The Commons, not to have a dog on a lead.

Examples of things that are not considered to constitute a “reasonable excuse”:

- Not having a lead with them to put the dog on
- Being unaware the PSPO is in place
- Not being the owner of the dog but simply walking it for another person

4: Offence - a dog is taken into the small dog exclusion zone at the café (i.e. the area where dogs are excluded).

Exceptions – a person is not guilty of an offence if that person:

- is registered as a blind person in a register compiled under section 29 of the National Assistance Act 1948: or
- is deaf, in respect of a dog trained by Hearing Dogs for Deaf People (registered charity number 293358) and upon which he relies for assistance; or

- has a disability which affects their mobility, manual dexterity, physical co-ordination or ability to lift, carry or otherwise move everyday objects, **in respect of a dog trained by a prescribed charity* and upon which he relies for assistance, or**
- has a reasonable excuse for bringing the dog into the exclusion zone – if in any doubt as to validity of any reasonable excuse, officers will issue an FPN and advise recipients of the appeal process if they feel they have a reasonable excuse, or
- has permission of City of London, as land owner, in writing from the Superintendent of The Commons, to bring the dog into the exclusion zone.

Examples of things that are not considered to constitute a “reasonable excuse”:

- Unaware that dogs are not allowed in this area – (the only way into this area is through gates which have all signs on them).
- Being unaware the PSPO is in place
- Having no lead to tie it up outside
- Only popping in for a coffee/food etc.
- Not being the owner of the dog but simply walking it for another person

5: Offence - an individual is walking five or more dogs anywhere at Burnham Beeches.

Exceptions – a person is not guilty of an offence if that person:

- has a reasonable excuse for walking five or more dogs – if in any doubt as to validity of any reasonable excuse, officers will issue an FPN and advise recipients of the appeal process if they feel they have a reasonable excuse, or
- has permission of City of London, as land owner, in writing from the Superintendent of The Commons, to walk five or more dogs at Burnham Beeches.

Examples of things that are not considered to constitute a “reasonable excuse”:

- Not being aware the PSPO is in place
- Not being the owner of the dogs but simply walking them on behalf of another person

Visitors with disabilities and Assistance Dogs

** In relation to the PSPOs at Burnham Beeches each of the following is a prescribed charity - Dogs for the Disabled (registered charity number 700454), Support Dogs (registered charity number 1088281, Canine Partners for Independence (registered charity number 803680)*

In addition to the prescribed charity provision above, Rangers will not normally seek to take formal action against anyone who has a disability which prevents that individual from being able to physically comply with the requirements of a PSPO. All breaches of PSPO will be considered on their individual merits and advice on how to comply, will be given where appropriate.

Working dogs

Working dogs may be exempt from a PSPO but this will only apply to those such as Police dogs & Search and Rescue dogs actively working on site. The exemption does not apply to dogs that may be of a working breed or classified as working when away from Burnham Beeches, for example a Sheepdog, gundog (retriever pointer etc.) at any time, or Police and search and rescue dogs when such dogs are simply being exercised at the site.

How will the powers will be used?

The City will not operate a zero tolerance to PSPO infringement at Burnham Beeches, all breaches will be considered on their individual merits. Where a visitor is clearly unfamiliar with the site and complies with a Ranger's request to carry out an action, pick up/remove faeces, put dog on lead etc. no further action will be taken.

If a request for an individual to comply with the PSPO is recorded two times, or they are known to be a regular visitor, and as such very familiar with the PSPOs requirements, they will receive a formal warning and will no longer be given the opportunity to put matters right should they commit an offence in the future and an FPN will be issued or the /matter prosecuted if an FPN is not accepted or the matter is so serious so as to merit prosecution.

Rangers will record details of all instances where someone is approached and asked to comply with the PSPOs.

Where a visitor refuses or is unable to comply with any request to abide by any PSPO, an FPN will normally be issued or evidence recorded for formal warning/prosecution where an FPN is not an appropriate way forward.

Where a Ranger deals with an incident where an FPN would normally be issued but where they don't have an FPN with them at the time, they will collect all evidence/information they would need to issue an FPN and then issue by post.

An FPN will not be an appropriate way forward where the matter is so serious so as to merit prosecution and/or where the offender has been issued a number of FPNs previously.

The City of London will also have due regard to its obligations when the offence is committed by a juvenile i.e. under the age of 17.

'Appeals' Process

Though not a statutory requirement, the enforcement procedures for the PSPO at Burnham Beeches will include a process to allow the opportunity for anyone issued an FPN, who believes that they meet one of the exceptions, to make representations as to why they should not have been issued an FPN.

Should anyone wish to 'appeal' against the issuing of an FPN they must make representations in writing or by email within 14 days of issue to PSPO appeals, PO Box 3487, Stafford, ST16 9PR or appeals@district-enforcement.co.uk.

Appeals will be granted where there is evidence of an exemption applicable to the offence committed. Appeals based on a 'reasonable excuse' will be dealt with on a case by case basis but will not include:

- Not knowing the PSPO is in place was in force
- Not my dog
- Was going to come back to remove faeces
- Didn't have any bags
- Didn't have a lead with me

Appeals will also be allowed where appellant has permission of the City Of London, in writing from the Superintendent of The Commons.

Where any appeal is refused the appellant will be notified, and of the reasons for refusal, in writing/or by email and given a further 14 days to pay the FPN from the date of refusal and including being able to pay the reduced rate within 10 days. The appellant will also be notified in writing/by email where an appeal is upheld. All adjudications will be made and notified within 28 days of receipt.

The decision to allow or refuse an appeal will ultimately be determined by the Superintendent of The Commons.

What is a serious incident?

There could be many examples, but generally it is where as a result of not abiding by a PSPO, there has been a more serious incident that would otherwise have been avoided by the dog walker complying with the PSPO. For example; in an area where dogs must be kept on a lead by failing to keep their dog on lead an owner allows their dog to attack another dog/wildlife /livestock or even another visitor. In such a case it would not be

appropriate to issue an FPN but to deal with all such matters by prosecution – and gather evidence accordingly.

Collection of personal Data

Burnham Beeches – Public Space Protection Order Retention Policy

Name address and Additional details will be requested by the authorised officer when issuing an FPN. Under the Burnham Beeches byelaws a person can be guilty of obstructing an officer by failing to provide their name and address.

The enforcement of Public Space Protection Orders at Burnham Beeches requires authorised officers to collect and process personal information about identified individuals found to be in breach of these orders.

In accordance with principle five of the Data Protection Act 1998, this information will only be retained as long as necessary in relation to the enforcement of Public Space Protection Orders.

Active Review

This document will be reviewed and updated every six months – to reflect as required any further site specific guidance required as enforcement action is carried out at Burnham Beeches.



PUBLIC SPACES PROTECTION ORDERS

You are entering an area where dogs must be on leads (max length 5m) at all times.



You must also:

- **Remove any faeces deposited by your dog.**
- **Not bring any more than 4 dogs onto any part of Burnham Beeches.**

Maximum penalty £1000: Under the Anti-social Behaviour, Crime and Policing Act 2014, anyone failing to abide by the above will be liable, on conviction, to a fine to a maximum of level 3 on the standard scale (currently £1000). Alternatively, the chance to pay a fixed penalty notice of £80 may be offered in place of prosecution; this will be reduced to £50 if paid within 10 days.

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