



Epping Forest & Commons Committee

Date: MONDAY, 17 JANUARY 2022

Time: 11.00 am

Venue: VIRTUAL PUBLIC MEETING (ACCESSIBLE REMOTELY)

Members: Graeme Doshi-Smith (Chairman)
Benjamin Murphy (Deputy Chairman)
Deputy Philip Woodhouse
Peter Bennett
Caroline Haines
Alderman Robert Hughes-Penney
Gregory Lawrence
Deputy Edward Lord
Alderman & Sheriff Nicholas Lyons
Jeremy Simons
Oliver Sells QC (Ex-Officio Member)

For consideration of Business Relating to Epping Forest Only

Verderer Michael Chapman DL
Verderer Paul Morris
Verderer Nicholas Munday
Verderer H.H William Kennedy

Enquiries: Richard Holt
Richard.Holt@cityoflondon.gov.uk

Accessing the virtual public meeting

Members of the public can observe this virtual public meeting via YouTube at the following link

<https://youtu.be/PrHHfunsGuQ>

A recording of the public meeting will be available via the above link following the end of the public meeting for up to one municipal year. Please note: Online meeting recordings do not constitute the formal minutes of the meeting; minutes are written and are available on the City of London Corporation's website. Recordings may be edited, at the discretion of the proper officer, to remove any inappropriate material.

John Barradell
Town Clerk and Chief Executive

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 of the Epping Forest and Commons Committee held on the 19th of November.

For Decision
(Pages 7 - 14)

- 4. EPPING FOREST AND COMMONS COMMITTEE DATES 2022**

Report of the Town Clerk.

For Information
(Pages 15 - 16)

- 5. OPEN SPACES BUSINESS PLAN FOR 2022/23**

Report of the Executive Director Environment.

For Information
(Pages 17 - 28)

- 6. OPEN SPACES BUSINESS PLAN 2021/22 - SIX MONTH PERFORMANCE UPDATE: APRIL TO SEPT 2021**

Report of the Executive Director Environment.

For Information
(Pages 29 - 42)

Epping Forest

- 7. SUPERINTENDENT'S UPDATE**

Report of the Superintendent of Epping Forest.

For Information
(Pages 43 - 58)

8. LICENCES, SPORTS AND PRODUCE FEES AND CHARGES

Report of the Executive Director Environment.

For Decision
(Pages 59 - 74)

9. SIR ROGER GIFFORD MEMORIAL PROJECT

Report of the Executive Director Environment.

For Decision
(Pages 75 - 84)

10. LARGE EVENT APPLICATION

Report of the Executive Director Environment.

For Decision
(Pages 85 - 136)

11. WANSTEAD PARK: SUITABLE ALTERNATIVE NATURAL GREEN SPACE PROJECT

Report of the Executive Director Environment.

For Decision
(Pages 137 - 150)

12. WANSTEAD PARK NATURAL PLAY AREA

Report of the Executive Director Environment.

For Decision
(Pages 151 - 156)

13. EFSAC SAMM MITIGATION PARTNERSHIP AGREEMENT

Report of the Executive Director Environment.

For Decision
(Pages 157 - 204)

14. CAR PARKING REVIEW

Report of the Executive Director Environment.

To follow.

For Information

Burnham Beeches & The Commons

15. SUPERINTENDENT'S UPDATE

Report of the Superintendent of the Commons.

For Information
(Pages 205 - 210)

16. THE COMMONS - LICENCES, SPORTS, WAYLEAVES AND PRODUCE FEES AND CHARGES

Report of the Executive Director Environment.

For Decision
(Pages 211 - 220)

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

18. ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT

Part 2 - Non-Public Agenda

19. 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

20. NON-PUBLIC MINUTES

To agree the non-public minutes of the previous meeting of the Epping Forest and Commons Committee held on the 19th of November.

For Decision
(Pages 221 - 226)

21. NON-PUBLIC LARGE EVENT APPLICATION

Report of the Executive Director Environment.

For Decision
(Pages 227 - 230)

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

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

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Agenda Item 3

EPPING FOREST & COMMONS COMMITTEE Friday, 19 November 2021

Minutes of the meeting of the Epping Forest & Commons Committee held at HYBRID MEETING (COMMITTEE ROOMS, GUILDHALL / VIRTUAL on Friday, 19 November 2021 at 11.00 am

Present

Members:

Graeme Doshi-Smith (Chairman)
Benjamin Murphy (Deputy Chairman)
Caroline Haines
Gregory Lawrence
Jeremy Simons
Verderer Michael Chapman DL
Verderer Paul Morris

Officers:

Richard Holt
Julie Mayer
Kristina Drake
James Gibson
Juliemma McLoughlin
Andy Barnard
Paul Thomson
Jeremy Dagley
Geoffrey Sinclair
Nicholas Welland
Edward Sye

- Town Clerk's Department
- Town Clerk's Department
- Town Clerk's Department
- Chief Operating Officer's Department
- Executive Director for Environment
- Superintendent, The Commons
- Superintendent, Epping Forest
- Head of Conservation, Epping Forest
- Head of Operations, Epping Forest
- City Surveyor's Department
- City Surveyor's Department

1. APOLOGIES

Apologies were received in advance of the meeting from Alderman Robert Hughes-Penney, Alderman & Sheriff Nicholas Lyons, Peter Bennett and Verderer Nicholas Munday.

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

There were no declarations received.

3. MINUTES

The Committee considered the public minutes of the Epping Forest and Commons Committee meeting held on the 13th of September 2021.

RESOLVED- That the public minutes of the Epping Forest and Commons Committee meeting held on the 13th of September 2021 be approved as an accurate record.

4. DEPARTMENTAL AND SERVICE COMMITTEE BUDGET ESTIMATES 2022/23

The Committee considered a joint report of the Executive Director for Environment and the Chamberlain on the Departmental and Service Committee Budget Estimates for 2022/23.

Following a suggestion from the Deputy Chairman the Committee agreed that the damage to Epping Forest caused by the related effects of the COVID19 Pandemic needed to be formally recognised and added to the Department's Risk Register accordingly. The Deputy Chairman added that it was his view that the management of the Forest was currently underfunded and was not compliant with national guidelines on expenditure. Further to this it was agreed that the Chamberlain arrange a deep dive session on the budget with the Chairman and Deputy Chairman of the open spaces committees to discuss their concerns in further detail.

A member of the Committee noted that the City Surveyor needed to take a more long-term approach when considering the maintenance of property assets and highlighted that without expenditure in the short term there would be more serious maintenance issues in the future. A Member commented that the City of London Corporation did not have a good reputation locally for maintaining its assets.

Responding to a query from a member of the Committee the Chamberlain explained that the decision on whether the increased spending caused by inflation would be met from local or central risk would be decided by the Resource Allocation Sub-Committee.

RESOLVED- That: -

- I.The Epping Forest proposed revenue budget for 2022/23 be approved for submission to Finance Committee; and
- II.That the Commons proposed revenue budgets for 2022/23 be approved for submission to Finance Committee; and
- III. That the Epping Forest capital and supplementary revenue project budgets for 2022/23 be approved for submission to Finance Committee; and
- IV.The Commons capital and supplementary revenue project budgets for 2022/23 be approved for submission to Finance Committee.

5. SUPERINTENDENT'S UPDATE

The Committee received a report of the Executive Director for Environment on the Epping Forest Division's activities across August to September 2021.

Responding to a Member's query the Superintendent confirmed that £320,000 had been spent on tackling fly tipping in the Forest. Further to this the Deputy Chairman highlighted the successful prosecutions for fly tipping which had been achieved.

The Superintendent confirmed, in response to a Member's question, that there were twelve vacancies for permanent positions in the Epping Forest

Management Team as a result of the recruitment moratorium in relation to the Target Operating Model.

Replying to a Committee Member's enquiry it was explained that the position regarding rough sleepers in Epping Forest was returning to pre-COVID numbers, however it was generally increasing in line with the national trend.

In response to a Committee member's request for further information on the management of deer in Epping Forest the Superintendent confirmed that the Deer Management Strategy, as approved by the Committee, was being actioned. It was added that there was a lot of work to be done on this matter as temporary staff were required to fill the gaps of those staff retiring.

The Superintendent answered a committee member's query by confirming that there were in the region of forty unresolved land registration issues which were to be brought to committee for consideration.

RESOLVED-That the report be noted.

6. WANSTEAD PARK PONDS PROJECT

The Committee considered a report of the Executive Director for Environment on the Wanstead Park Ponds Project.

RESOLVED- That: -

- I. That the underspend of £30,000 from the Engineering Fees is reallocated to carry out further engineering consultancy is approved; and
- II. That an additional budget of £51,000 is approved to reach the next Gateway; and
- III. That the revised project budget of £241,000 (excluding risk) be noted; and
- IV. That the total estimated cost of the project at £500,000 - £1 million (excluding risk and possible external funding) be noted; and
- V. That Options 2 and 3, revisor safety works and water balance interventions be approved.

7. PROVISION OF STAFF WELFARE FACILITIES AT CHINGFORD GOLF COURSE EPPING.

The Committee considered a report of the Executive Director for Environment for the Provision of Staff Welfare Facilities at Chingford Golf Course Epping.

RESOLVED-That: -

- I. the report and lessons learned be noted; and
- II. the closure of this project be approved.

8. FOREST OPERATIONS: PATH CONDITION ASSESSMENT FEB-MAR 2021

The Committee considered a report of the Executive Director for Environment on the Forest Operations Path Condition Assessment February- March 2021.

The Chairman commented on his displeasure about the condition of the paths but noted this was due to effects of increased visitors during the period effected by COVID19. The Deputy Chairman agreed, noting that there was a need to resolve the current condition of the paths and establish a plan for management going forward. It was added that the condition of these paths needed to be added to the risk register.

RESOLVED- That the Committee approved officers progressing internal and external fundraising approaches for financing the works to undertake the path repair proposals.

9. RESIDENTS PETITION OPPOSING THE RETURN OF POLICE HELICOPTERS TO THE LIPPITTS HILL AIRBASE, HIGH BEACH

The Committee considered a report of the Executive Director for Environment on Residents Petition opposing the return of Police Helicopters to Lippitts Hill Airbase High Beech.

RESOLVED- That the Committee approved to protect peaceful recreational activity, tranquillity, and the nature designations of Epping Forest from harm, the Charity will encourage NPAS and the MPS to support:

- i. the use of helicopter approach and departure routes west of Lippitts Hill avoiding flights over Epping Forest
- ii. the long-term relocation of the NPAS facility at Lippitts Hill to a more forward facility closer to London
- iii. the future adoption of quieter helicopter design, using innovations such as 'No Tail Rotor' (NOTAR) technology.
- iv. greater investment in less environmentally impactful drone replacements.

10. PROPOSALS FOR POSSIBLE SESQUICENTENNIAL CELEBRATIONS OF THE CITY OF LONDON CORPORATION'S PROTECTION OF EPPING FOREST

The Committee considered a report of the Executive Director for Environment on the proposals for possible sesquicentennial celebrations of the City of London Corporation's protection of Epping Forest.

Following a concern expressed by a Member it was confirmed that the celebratory events to be organised would be used as an opportunity to secure income for the Epping Forest Charity rather than spending valuable funds on a simply commemorative events. Further to this it was agreed that the proposed working group needed to be properly constituted to allow committee members to provide proper oversight to the proposed events.

RESOLVED- That: -

- I. The commemoration of sesquicentennial events centred on 2028, being 150 years from 1878, reflecting the focus of the previous Centenary celebration, though other important milestones could be celebrated as part of an associated narrative be approved; and
- II. That an Epping Forest Working Group be inaugurated to plan the sesquicentennial celebrations.

11. CITY OF LONDON CORPORATION RESPONSE TO NORTH ESSEX PARKING PARTNERSHIP (NEPP) REVIEW OF TEMPORARY TRAFFIC REGULATION ORDER (TTRO) FOR HIGH BEACH RED ROUTE

The Committee considered a report of the Executive Director for Environment on the City of London Corporation's Response to North Essex Parking Partnership Review of Temporary Traffic Regulations Order for High Beach Red Route.

The Committee discussed the need to balance the protection of Epping Forest with public access noting that the Forest is protected for the public's enjoyment. It was stated by a Committee member that the Red Routes were originally enforced as a temporary measure needed to protect the Forest from the effect of increased visitor numbers during the COVID19 pandemic. It was added that there was little support for these Red Routes locally which was reflected at the recent meeting of the Epping Forest Consultative Committee. The Interim Director explained that a longer-term approach to visitor facilities across the Forest was being undertaken which aimed to provide a more even distribution across the Forest.

RESOLVED- Approved a reserve position to protect the SAC, and associated verge restoration work, from damage by verge parking through the installation of bollards or similar infrastructure and /or signage along the most vulnerable areas of High Beach. It was noted that this will help to reduce displacement parking but may mean parking may obstruct the use of the public highway.

12. CONSERVATION GRAZING ACTION PLAN FOR EPPING FOREST & ITS BUFFER LANDS

The Committee considered a report of the Executive Director for Environment on the Conservation Grazing Action Plan for Epping Forest and its Buffer Lands.

RESOLVED-That: -

- I. The eight key aims of the Conservation Grazing Action Plan 2022- 2027, subject to future liaison with commoners in 2022 be approved; and
- II. That the option of winter grazing in selected parts of the Forest wood-pasture habitats for enhanced biodiversity conservation, subject to feedback from liaison with commoners and subject to Section 5(2) of the City of London (Open Spaces) Act 2018 be approved; and
- III. That authority be delegated to the Superintendent of Epping Forest (in consultation with the Chairman and Deputy Chairman of Epping Forest and Commons Committee) to consider any liaison feedback from commoners and to determine whether the key aims and winter grazing should be approved as set out in the above recommendations having regard to any such feedback and further delegate to the Superintendent of Epping Forest (in consultation with the Chairman and Deputy Chairman of the Epping Forest and Commons Committee), in each year winter grazing is proposed, authority to take reasonable steps to ascertain the extent to which relevant rights of common are likely to be

exercised in that year and to ensure a sufficient area of land is maintained so as to allow for the exercise of those rights to the extent they are ascertained (in accordance with S.5(2) City of London (Open Spaces) Act 2018); and

- IV. That the expansion of the GPS management under the Action Plan, as resources allow, to provide collars for each animal in the herd to allow for fenceless grazing by any animal across the Buffer Lands and Forest be approved.

14. DRAFT PUBLIC MINUTES OF THE EPPING FOREST JOINT CONSULTATIVE COMMITTEE

The Committee received the draft minutes of the Epping Forest Joint Consultative Committee held on the 21st of October.

The Town Clerk informed the Committee that there remained two places on the Joint Consultative Committee for Epping Forest and Commons Committee members and invited applications from those Committee members present. Verderer Paul Morris indicated his willingness to serve and was appointed accordingly.

RESOLVED: That: -

- I. The draft minutes be noted; and
- II. That Verderer Paul Morris be appointed to the Epping Forest Joint Consultative Committee.

15. DRAFT MINUTES OF THE EPPING FOREST CONSULTATIVE COMMITTEE

The Committee received the draft minutes of the Epping Forest Consultative Committee meeting held on the 20th of October.

RESOLVED- That the draft minutes be noted.

16. SUPERINTENDENT'S UPDATE

The Committee received a report of the Executive Director for Environment on the Superintendent's update for the Commons.

The Deputy Chairman noted that improved relationships with Thames Water were being established which would assist in resolving some ongoing issues.

The Committee discussed the recent vandalism which had taken place at Kenley and noted regret that this had taken place. The Superintendent explained that there was no reason to believe the instance was motivated by anything more than opportunism and that CCTV was not currently being considered for the site.

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

There were no questions received in the public session.

18. ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT

There was no urgent business considered in the public session.

19. EXCLUSION OF THE PUBLIC

RESOLVED: That under Section 100(A) 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.

20. NON-PUBLIC MINUTES

The Committee considered the non-public minutes of the Epping Forest and Commons Committee meeting held on the 13th of September 2021.

RESOVLED- That the non-public minutes of the Epping Forest and Commons Committee meeting held on the 13th of September 2021 be approved as an accurate record.

21. WHIPPS CROSS HOSPITAL & RESIDENTIAL DEVELOPMENT MITIGATION STRATEGY

The Committee considered a late report of the Executive Director for Environment on the Whipps Cross Hospital & Residential Development Mitigation Strategy.

RESOLVED- That the report be approved.

13. GREAT GREGORIES INFRASTRUCTURE

The Committee considered a late report of the Executive Director for Environment on the Great Gregories Yard Future Proofing Buildings.

RESOLVED- That the report be approved.

22. EPPING FORESTERS CRICKET CLUB LICENCE

The Committee considered a report of the Executive Director for Environment on the Epping Forest Cricket Club Licence.

RESOLVED- That the report be approved.

23. REQUEST FOR THE PROVISION OF A DEED OF GRANT EASEMENT - 34 MORNINGTON ROAD, WOODFORD GREEN

The Committee considered a report of the Executive Director for Environment on the request for the provision of a deed of grant easement 34 Mornington Road Woodford Green.

RESOLVED- That the report be approved.

24. COMMERCIAL WAYLEAVES UPDATE - THE ELMS CARAVAN PARK

The Committee considered a report of the Executive Director for Environment on the Commercial Wayleaves Update The Elms Caravan Park.

At 1pm Members agreed to extend the business of the agenda beyond two hours, in accordance with Standing Order 40, in order to conclude the business on the agenda.

RESOLVED- That the report be approved

25. COMMERCIAL WAYLEAVES UPDATE

The Committee considered a report of the Executive Director for Environment on the Commercial Wayleaves.

RESOLVED- That the report be noted.

26. REPORT OF ACTION TAKEN BETWEEN MEETINGS

The Town Clerk informed the Committee that as the Committee was no longer Quorate in accordance with Standing Order 36 (3) the formal meeting would be dissolved.

The Committee received a report of the Town Clerk on the report of action taken outside of the meeting.

RESOLVED- That the report be noted.

27. DRAFT NON-PUBLIC MINUTES OF THE EPPING FOREST JOINT CONSULTATIVE COMMITTEE

The Committee received the draft non-public minutes of the Epping Forest Joint Consultative Committee.

RESOLVED- That the draft minutes be noted.

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

There was one questions received in the non-public session.

29. 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 considered in the non-public session.

The meeting ended at 1.25 pm

Chairman

Contact Officer: Richard Holt
Richard.Holt@cityoflondon.gov.uk

Agenda Item 4

| Date | Committee/Meeting/Visit |
|--|--|
| | 2022 Epping Forest and Commons Committee dates |
| 17 January, 11.00am 27 January, 7.00pm | Epping Forest & Commons Committee Burnham Beeches and Stoke Common Consultation group |
| 9 February, 7.00pm | Epping Forest Consultative Committee |
| 7 May, 10.00am 9 May, 11.00am | Provisional Epping Forest & Commons Committee Saturday Visit Epping Forest & Commons Committee |
| 15 June, 7.00pm | Epping Forest Consultative Committee |
| 9 July, 10.00am 11 July, 11.00am | Provisional Epping Forest & Commons Committee Saturday Visit Epping Forest & Commons Committee |
| 10 September, 10.00am 12 September, 11.00am | Provisional Epping Forest & Commons Committee Saturday Visit Epping Forest & Commons Committee |
| 19 October, 7.00pm | Epping Forest Consultative Committee |
| 19 November, 10.00am 21 November, 11.00am | Provisional Epping Forest & Commons Committee Saturday Visit Epping Forest & Commons Committee |

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Agenda Item 5

| Committee: | | Date: |
|---|-------------------|------------------------------|
| Open Spaces and City Gardens Committee – For decision | – For information | 7 December 2021 |
| West Ham Park Committee | – For information | 7 December 2021 |
| Epping Forest & Commons Committee | – For information | 17 January 2022 |
| Hampstead Heath, Highgate Wood and Queen's Park Committee | – For information | 9 February 2022 |
| Subject: | | Public |
| Open Spaces Business Plan for 2022/23 | | |
| Which outcomes in the City Corporation's Corporate Plan does this proposal aim to impact directly? | | 1, 2, 3, 4, 5, 8, 10, 11, 12 |
| Does this proposal require extra revenue and/or capital spending? | | No |
| If so, how much? | | N/A |
| What is the source of Funding? | | N/A |
| Has this Funding Source been agreed with the Chamberlain's Department? | | N/A |
| Report of: Juliemma McLoughlin, Executive Director Environment | | |
| Report author: Gerry Kiefer, Open Spaces Directorate Business Manager, Environment Department | | |

Summary

This report presents for approval the high-level Business Plan for the current Open Spaces divisions within the Environment Department, for 2022/23. The Plan identifies five key areas of work for the forthcoming year and shows how open spaces contributes to the delivery of the Corporate Plan and priority corporate strategies. The report also attaches as appendix 2, the additional key areas of work for the various open spaces divisions. During 2022 an Environment Department Business Plan and performance measures will be developed.

Recommendation

The **Open Spaces and City Gardens Committee** is recommended to:

- Approve, subject to the incorporation of any changes sought by this Committee, the high-level Business Plan for Open Spaces, Environment Department for 2022/23 attached as Appendix 1.

West Ham Park Committee, Epping Forest and the Commons Committee, Hampstead Heath, Highgate Woods and Queens Park Committee are asked to:

- note this report

Main Report

Background

1. Officers have been advised to present Business Plans for 2022/23 based on former departmental structures. For 2022-2023 Business Plans, the same templates and approach from 2020-2021 have been adopted
2. Business Planning will be reviewed as part of the Target Operating Model (TOM). Any proposed changes will be shared and agreed prior to implementation in future planning cycles.

Current Position

3. The new Environment Department which brings together Open Spaces, Built Environment and Port Health & Public Protection, was formed in August 2021 with the commencement of the Executive Director, Environment.
4. The Environment Department is currently in phase three, 'design and consult' of the TOM, with the intention of progressing through the Design Advisory Board in December 2021 and Committee approval January 2022. As such the new department is not yet in a position to present an Environment Department Business plan and therefore this Committee receives a plan specifically for the Open Spaces within the Environment Department. #
5. An 'all encompassing' Environment Business Plan will be developed during 2022/23 and presented to the relevant Committees for approval.

Proposal

6. The draft high-level summary Business Plan for the Open Spaces element of the Environment Department is presented at **Appendix 1**.
7. The high-level business plan identifies the 5 main areas of work over the next year for the open spaces. It also details, in **Appendix 2**, the *additional* key areas of work of the different open spaces divisions over the next year whilst we fully integrate into the Environment Department.

Corporate & Strategic Implications

8. Strategic implications – Strategic priorities and commitments are expressed in Appendix 1, sides 1 and 2.
9. Financial implications – A separate departmental and service budget estimates report will be presented to this Committee on 7 December by the Chamberlains Department. Three capital funding requests are being considered by Policy & Resources Committee on 16 December as part of the annual capital bidding process.
10. Risk implications – Red and Amber risks managed by the department which were agreed by this Committee are included in the Business Plan.

11. Resource implications – Any changes to resources will be identified and proposed as part of the Target Operating Model report which is due to be considered by Establishment Committee on 19 January 2022.
12. Equalities implications – Where we develop new policies, strategies, service provision and capital projects we will undertake ‘tests of relevance’ and where appropriate a full equalities analysis.
13. Climate Implications – Open Spaces is undertaking research and developing projects to identify opportunities for carbon sequestration through land management and innovative working which will contribute to the Climate Action Strategy targets.
14. Security implications – there are no security implications arising from this report

Conclusion

15. This report presents the Open Spaces high-level Business Plan for 2022/23. This plan acts as an interim until an Environment Department Business Plan is produced in 2022. At a local level each division has a number of additional priorities supplementary to the five main actions specified within the Business Plan.

Appendices

- Appendix 1 – Open Spaces Department Draft High-level Business Plan 2022/23
- Appendix 2 – Additional priorities for 2022/23 for
 - City Gardens,
 - West Ham Park,
 - The Commons
 - Epping Forest,
 - North London Open Spaces
 - The Directorate & Learning team

Gerry Kiefer

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Appendix 1

THE CURRENT OPEN SPACES VISION IS:

We enrich people's lives by enhancing and providing access to ecologically diverse open spaces and outstanding heritage assets across London and beyond.

Our overarching objectives are:

- A. Open spaces and historic sites are thriving and accessible.
- B. Spaces enrich people's lives.
- C. Business practices are responsible and sustainable.

Our major workstreams this year will be...

1. Implement the approved recommendations of the Target Operating Model report and embed the new Environment Department.
2. Finalise the new open spaces vision and 5-year plan and progress its implementation.
3. Progress the landscaping of Finsbury Circus, access and security improvements at the Heath's swimming facilities, the replacement playground at West Ham Park, and all other RASC approved capital projects.
4. Progress the Carbon removal projects to deliver the open spaces element of the Climate Action Strategy.
5. Actively engage in the review of Chilterns and Surrey Hills Areas Of Outstanding Natural Beauty (AONB) boundaries with potential inclusion of Burnham Beeches and Stoke Common in the former, Ashtead Common and South London Downs NNR in the latter.

The Corporate Plan outcomes we have a direct impact on are...

Outcome 2 - People enjoy good health and wellbeing

Outcome 3 - People have equal opportunities to enrich their lives and reach their full potential

Outcome 5 - Businesses are trusted and socially and environmentally responsible

Outcome 10 - We inspire enterprise, excellence, creativity and collaboration

Outcome 11 - We have clean air, land and water and a thriving and sustainable natural environment.

Outcome 12 - Our spaces are secure, resilient and well-maintained.

What's changed during 2021

- *Open Spaces are now part of the new Environment Department with a new Executive Director and the retirement of the Director of Open Spaces.*
- *Significant long lasting 'wear and tear' on our sites due to increased visitor numbers during 2020.*
- *More staff adopting a hybrid pattern of work.*
- *Effectiveness of MS Teams has increased efficiency by reducing need for 'travel time' between sites for meetings.*
- *More public realm enhancements installed to encourage workers back to the City with arising changes to working methods to maintain these scattered assets.*
- *Progress of projects has been delayed due to the impacts of COVID and availability of materials.*
- *Online booking and payment continues and reflected by improved visitor experience*
- *Covid and long Covid continues to affect staffing levels*

| Plans under consideration | Time Scale |
|---|---------------------|
| <i>Offices unlikely to return to full capacity—long term use of office accommodation to be considered</i> | <i>2022/23</i> |
| Visitor attractions, may require re-setting of business models | 2021/23 |
| <i>Prioritising high priority select bids for Capital that meet the precise capital funding criteria</i> | <i>2021 onwards</i> |

Our Strategic Commitments

Below are some of the Corporate Strategy Actions we will help deliver

Apprenticeship Strategy

- Deliver apprenticeships within the organisation from levels 2 to 7, in terms of placements and training, which generate positive feedback from those involved in completing and delivering them and achieve target retention rates

Climate Action Strategy

- Introduce new land management practices across our open spaces aiming to maximise their ability to remove carbon, and optimise their biodiversity and resilience value
- Advocate the importance of green spaces and urban greening as natural carbon sinks, and their contribution to biodiversity and overall wellbeing

Cultural Strategy

Support cultural excellence in a range of fields and champion an ethos of innovation, creative risk-taking and artistic citizenship

Support the delivery of the City of London's Education Strategy by nurturing an exemplary Cultural Education Partnership

Responsible Business Strategy

- Contribute to delivering the various strategy actions, particularly under the strategy outcome: *The planet is healthier*

Social Mobility Strategy

- Remove barriers, overcome gaps and improve access and participation in order to improve attainment.

Sport & Physical Activity Strategy

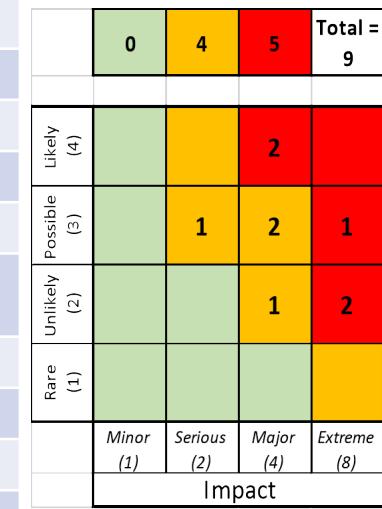
- Contribute to delivering the various strategy actions, particularly under the strategy outcome: *People enjoy good health and wellbeing and health inequalities are reduced*

Volunteering Strategy

- Promote volunteering opportunities and benefits to drive more and better volunteering.

Red & Amber Open Spaces Departmental and Corporate Risks

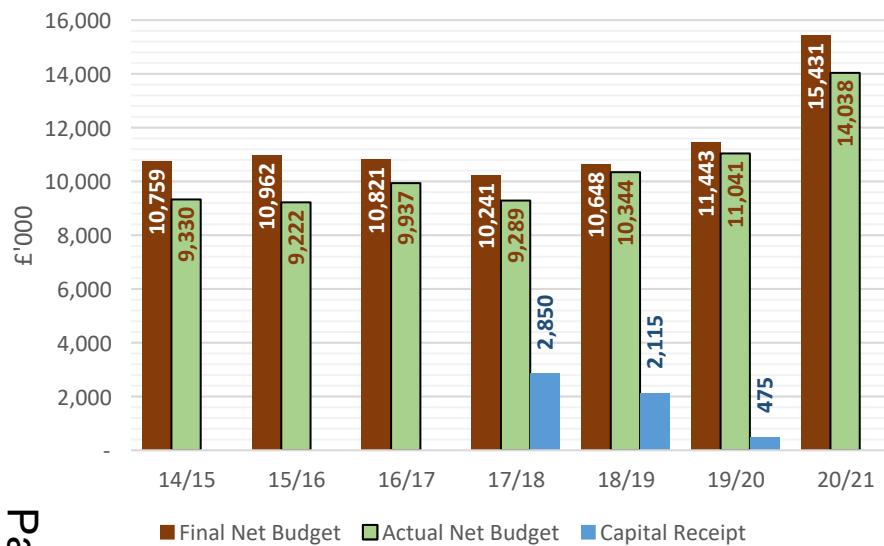
| Open Spaces Risk Title | Score |
|--|-------|
| Wanstead Park reservoirs | 24 |
| Repair and maintenance of buildings and structural assets | 16 |
| Maintaining the City's water bodies | 16 |
| Accelerated Long-term Damage to Open Spaces Sites | 16 |
| Budget reduction and Income Loss | 16 |
| Impact of development | 12 |
| The effect of a major event in central London on the tourism business at Tower Bridge and Monument | 12 |
| Pests and diseases | 12 |
| Health and safety | 8 |
| Extreme weather and climate change | 6 |
| These are reported Departmentally apart from Wanstead Park Reservoirs which is a Corporate risk | |



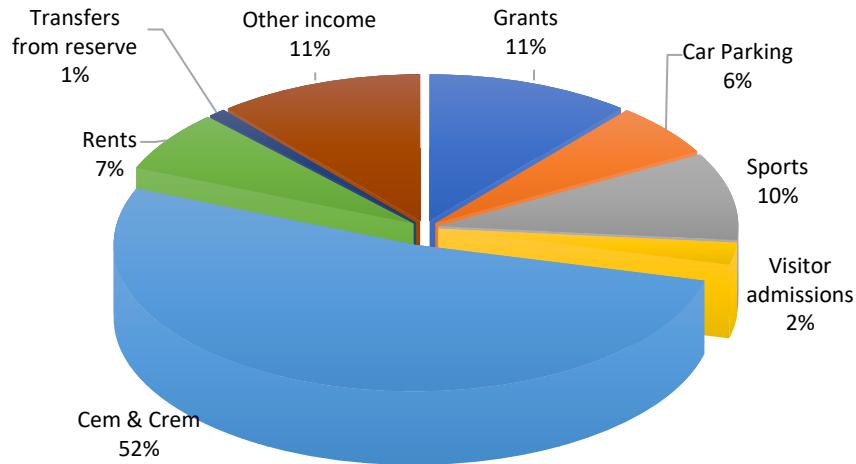
| Performance Measures include | 2021/22 Performance | 2022/23 direction of travel or target |
|--------------------------------|-----------------------|---------------------------------------|
| Green Heritage Accreditation | 14 Awards | 14 Awards |
| Green Flag Awards | 15 Awards | 15 Awards |
| Visits to Departments webpages | 698,512 (at end Sept) | Increase above 2021/22 actual |
| Tennis court usage | 42,368 (at end Sept) | Increase above 2021/22 actual |
| Our environmental footprint | Annual Measure | Reduce below 2021/22 actual |
| Department Net expenditure | £5.271M At end Sept | Achieve budget |
| Short term sickness | to date | Maintain |
| H&S accident investigations | 91% to date | Achieve corporate target |

2020/21 Directors local risk

Net budget, outturn net position and capital receipts



Where our income came from in 2020/21



Page

CoL Funded Capital Projects

Completed in 2020/21:

- Cremator replacement project

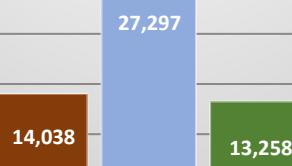
Live in 2021/22:

- Finsbury Circus
- West Ham Park playground
- Hampstead Heath ponds and lido
- Tower Hill playground
- East Heath car park
- ParkLife
- Carbon Removal (Climate Action Strategy)

Requested in Nov 2021/22

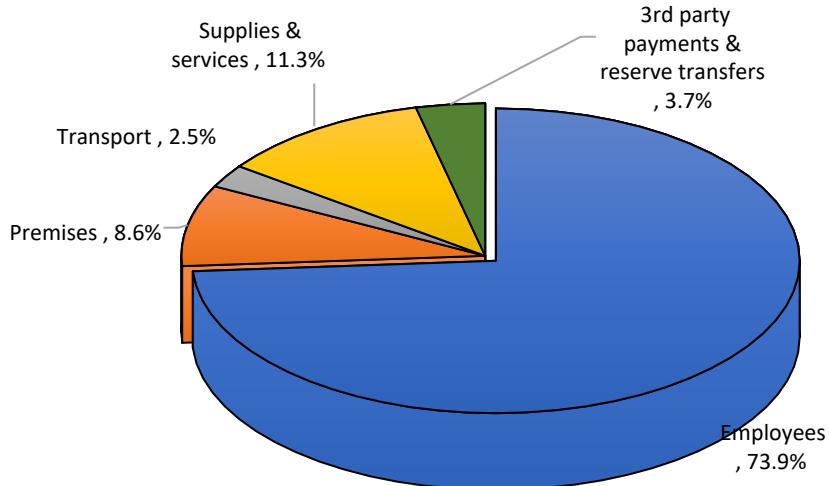
- Hampstead Heath athletics track resurfacing
- Epping Forest path restoration
- Queens Park playground and sandpit refurbishment

Outturn local risk 2020/21



■ Actual Net Budget
■ Actual Expenditure
■ Actual Income

How we spent our local risk budget in 2020/21



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Appendix 2 – Open Space divisions additional local priorities

| DIVISION | Our <i>additional</i> divisional priorities for 2022/23 will be... |
|--|---|
| Parks & Gardens (City Gardens) | <ul style="list-style-type: none"> • Work with colleagues across Environment Department and beyond to achieve collegiate approach to managing key workstreams, notably events, tree works, projects and enforcement. • Continue to Contribute to Climate Action Strategy workstreams including delivery of climate resilient species catalogue. • Complete programme to digitise paper systems and streamline and automate processes |
| Parks & Gardens (West Ham Park) | <ul style="list-style-type: none"> ▫ Work with colleagues across Environment Department and beyond to achieve collegiate approach to managing key workstreams, notably events, sports, tree works, projects. ▫ Revise and reissue Management Plan to reflect above points. ▫ Embed events programme to enhance user experience and increase income. ▫ Work with Friends Group and LWT to improve biodiversity status of the Park from local to borough importance. |
| The Commons | <ul style="list-style-type: none"> • Work with neighbouring authorities, partners and Natural England: <ul style="list-style-type: none"> * Protection of Burnham Beeches SAC through the Slough Borough Council's local planning process and Buckinghamshire Council's SAMMS, including appointment of S106 funded 'outreach rangers'. * Conclude agreement of 4 management plans at the Coulsdon Commons * Continue development of the larger landscape project around Burnham Beeches. Partnership project with local Authority, landowners and tenants. • Conclude the HLF funded Kenley Revival Project and associated reports; conclude consultation issues with the built heritage assets. • Achieve financial savings as required with a continuing emphasis on appropriate income generation activities according to the conservation status of the individual commons – this includes eco café at Burnham Beeches and potential café concession on Riddlesdown • Review and where appropriate, implement, use of invisible fencing across The Commons • Continue to work with partners to resolve water pollution issues – River Rye – Ashtead Common. |
| Epping Forest | <ul style="list-style-type: none"> ▫ Embedding the introduction of car parking charges and diversifying income opportunities through the use of available assets. ▫ Protection of SAC and SSSI through the planning process, promoting avoidance, management and mitigation of harm through rising population pressures. ▫ Safety of Epping Forest staff, visitors, residents and neighbours with the implementation of Reservoir Safety plans across water bodies in Wanstead, Loughton and Theydon Bois. ▫ Pursue partnerships with other organisations to improve and enhance sport and recreation facilities in the Forest, particularly Football. ▫ Improve environmental efficiency of our operations, buildings and fleet, achieving compliance with next phases of ULEZ. ▫ Embed the Customer Relationship Management (CRM) software systems to enable efficient and compliant handling of contact data, work requests, fundraising and other customer contacts. ▫ Expand cattle grazing using GPS-driven invisible fencing ▫ Lead on finalising the Departmental wayleave and easement policy ▫ Progress other actions associated with the Epping Forest Management Plan and Strategy |

| DIVISION | Our additional divisional priorities for 2022/23 will be... |
|-------------------------------------|---|
| | <ul style="list-style-type: none"> ▫ Post-pandemic recovery, including embedding of new ways of working, and restoration of landscape elements that have suffered deterioration caused by additional visitor pressure during 2020 |
| NLOS (including Keats House) | <ul style="list-style-type: none"> • COVID-19 Restoration Programme; implementing interventions to address erosion, compaction, path maintenance, waymarking and signage improvements • Tender 5 cafés and the additional offer at the Heath extension • Obtain approval and implement new licensing schemes in line with the provision of the 2018 Open Spaces Act • Implement playground improvements at the Heath Extension Playground. • Develop volunteering opportunities at Highgate Wood • Implement a divisional radio communications system • Deliver access improvement projects at Keats House • Develop a three year Management Plan for Keats House, to ensure the future sustainability of the Keats House Charity and its operating model |
| Directorate & Learning | <ul style="list-style-type: none"> ▫ Develop flexible learning in nature that addresses the restrictions and opportunities presented by recovery from the COVID19 pandemic ▫ Target schools with high pupil premiums and encourage and enable them to access the Learning offer ▫ Develop bespoke Learning programmes for young carers, young refugees and community groups ▫ Continue growth of school service following recovery from school closures/pandemic ▫ Target play provision at local families in need and increase opportunities for nature play ▫ Support the development of volunteer skills, networks and confidence, and improve volunteer wellbeing. ▫ Increase awareness of the charities donation campaigns and develop opportunities for regular giving and legacy. ▫ Support the divisions in the development of a new operating model for the management of weddings and ceremonies |
| Cem & Crem | <ul style="list-style-type: none"> • Continue grave reclamation for reuse • Fleet replacement • Various in-house landscaping projects • Review Tree Management Plan • Work in partnership with the Royal Voluntary Service, the new café tenant, to improve the offer to visitors and the bereaved |
| Tower Bridge and Monument | <ul style="list-style-type: none"> ▫ Work towards the continued recovery of Tower Bridge's tourism business and education provision, including revised visitor figures and income targets, adapting an operational and strategic marketing model according to any future changes in central Gov advice, internal financial planning or wider UK/London visitor economy trends and developments. ▫ Explore travel trade opportunities for the business as the sector recovers and international travel and tourism resumes. ▫ Procure and implement a new ticketing, bookings, point of sale and back of house system as a business-critical development project for the Bridge, with emphasis on continuing 'here to stay' practices implemented following the pandemic (timed ticketing etc). ▫ Commence the first phase of a proposed restructure with a focus on the operational technical team and supporting resources, in alignment with the charity's primary object and the Target Operating Model. |

| DIVISION | Our additional divisional priorities for 2022/23 will be... |
|-----------------|---|
| | <ul style="list-style-type: none"> ▫ Work with other Col Depts to realise major projects, including the entire overhaul of the Bridge's High Voltage system, replacement of Bridge controls hardware, implement permanent solutions following the extensive Working at Heights review, and mitigate their potential negative effects on the tourism business and day-to-day operations. Collaborate in taking forward works and projects which arise out of the upcoming condition survey being carried out by the City Surveyor. ▫ Work closely with and support Tower Bridge's sole events management partner in the continued recovery of its venue hire business. |

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Agenda Item 6

| Committee(s) | Dated: |
|--|--|
| Open Spaces and City Gardens Committee West Ham Park Committee Epping Forest and Commons Committee Hampstead Heath, Highgate Wood and Queens Park Committee | 7 December 2021 7 December 2021 17 January 2021 9 February 2022 |
| Subject: Open Spaces Business Plan 2021/22 – Six month performance update: April to Sept 2021 | Public |
| Which outcomes in the City Corporation's Corporate Plan does this proposal aim to impact directly? | Outcomes: 1, 2, 3, 4, 5, 8, 10, 11, 12 |
| Does this proposal require extra revenue and/or capital spending? If so, how much? | No N/A |
| What is the source of Funding? | N/A |
| Has this Funding Source been agreed with the Chamberlain's Department? | N/A |
| Report of: Juliemma McLoughlin – Executive Director, Environment | For Information |
| Report author: Gerry Kiefer, Open Spaces Directorate Business Manager, Environment Department. | |

Summary

This report provides Members with an update on progress and performance against the 2021/22 Business Plan. The Plan was agreed by Members in December 2020 and this report identifies the progress that has been made against the seven major workstreams. Where performance measures can be measured at six months these are listed in appendix 2 and show that none of those measures are behind their six month target. Financially the Department is forecasting a close to budget net position at year end.

Recommendation

Members are asked to:

- Note the report

Main Report

Background

1. The Open Spaces & City Gardens Committee approved the Departmental Business Plan 2021/22 (Appendix 1) on 2 December 2020.
2. The Open Spaces Vision is; *we enrich people's lives by enhancing and providing access to ecologically diverse open spaces and outstanding heritage assets across London and beyond.*

3. The Business Plan identified Open Space's three main objectives under which sit twelve outcomes which are set out on page one of the Business Plan. It also identified seven major workstreams to progress in 2021/22.

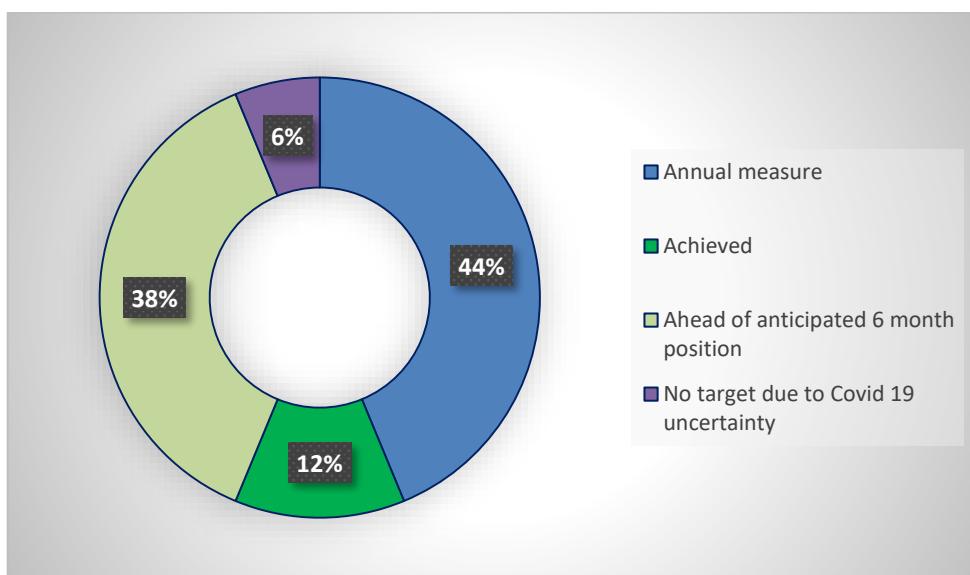
Current Position

4. Appendix 3 details the progress that has been made against the seven major workstreams of the Business Plan and identifies some areas of concern. The seven key workstreams are:
- 1) Implement the required savings to deliver a balanced budget within the reduced core funding envelope through a combination of reducing expenditure, increasing income.
 - 2) Implement actions arising from the new Target Operating Model and provide open and early communication to all employees.
 - 3) Progress the landscaping of Finsbury Circus, the replacement playground at West Ham Park and all other RASC approved capital projects including the Climate Action Strategy.
 - 4) Work with other CoL Depts to commence the entire overhaul of Tower Bridge's High Voltage system, hydraulic pipework replacement and implementation of permanent solutions following the extensive Working at Heights review.
 - 5) Working with City Surveyors, progress future use of the nursery site at West Ham Park.
 - 6) Assess impact of expanded ULEZ on existing fleet, procurement and supplier capacity and available financial resources.
 - 7) Continue to cultivate the Burnham Beeches Gateway and biodiversity net gain project partnership with local landowners and make ready for grant/funding applications

Performance Measures

5. Open Spaces maintain sixteen performance measures. The majority of these are collated annually, but those where data is available at 6 months is attached as appendix 2.

Six month progress against annual performance measures



- Of note is that Coulsdon Common achieved Green Heritage Site Accreditation for the first time this year on first submission, taking the total number of accreditations to 14 and also retaining 15 Green Flag Awards. Both are the benchmark international standard for publicly accessible parks and green spaces in the United Kingdom and around the world

Corporate & Strategic Implications

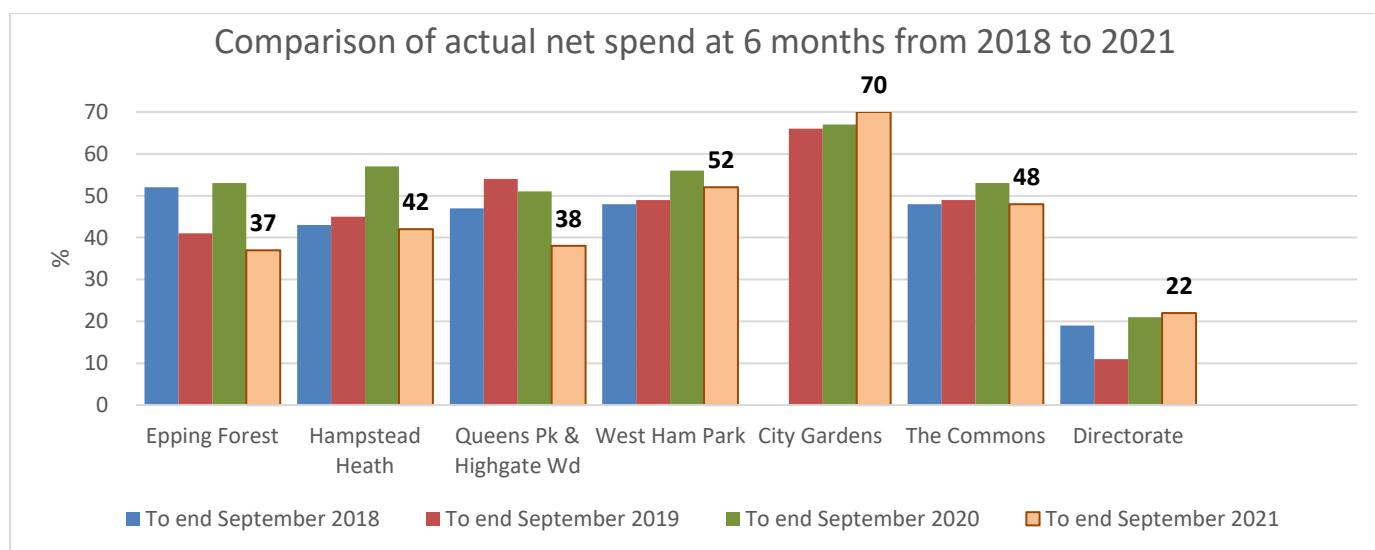
The Corporate Plan

- The Open Spaces Department actively contributes to all the Corporate Plan aims:

- Contribute to a flourishing society
- Support a thriving economy
- Shape outstanding environments

Financial Implications – Financial Performance

- Six months into the financial year and across the Divisions that report to the Open Spaces Committees, the full year outturn position is estimated to be broadly on budget.
- The graph below compares the current 6 month percentage net spend position with the similar period over the last three years. The position is comparable with other years although 2020 shows as a slight anomaly for some sites due to different patterns of income and expenditure during Covid lockdowns.
- The 70% net expenditure for City Gardens is comparable to previous years and recognises that a fair proportion of their income is from S106 contributions and rechargeable works which are applied towards the end of the financial year



Capital Funding Requests

- The Chairs and Deputies of the various Open Spaces Committees prioritised three proposal for consideration by RASC and Policy & Resources Committee for capital funding. These are:

- i. Hampstead Heath Athletics Track
- ii. Epping Forest Path Restoration
- iii. Queens Park Playground and Sandpit.

Final approval for the 2022/23 allocation of funding to capital projects has not yet been made, but all three projects are listed as 'green' and recommended by officers for approval.

12. **Resource implications** – The Environment Department is progressing through the TOM.
13. **Legal implications** – None
14. **Risk implications** - Concerns associated with achieving the main workstreams are referenced in Appendix 3.
15. **Equalities implications** – None
16. **Climate implications** - A very brief update on the Carbon Removals project is included in Appendix 3.
17. **Security implications** - None

Open Space Charities

18. Many of the Open Spaces sites are registered charities. Officers have been asked to remind Members that decisions they take in relation to the relevant charity must be taken in the best interests of the charity.

Conclusion

19. The Open Spaces has progressed well in delivering its 2021/22 Business Plan. It is forecasting a close to budget year end position and many of the performance measures that can be measured at 6 months are on track.

Appendices

- Appendix 1 - High-level Business Plan 2021 -22
- Appendix 2 - Performance measures – position at 6 months, where available
- Appendix 3 - 21/22 Business Plan seven major workstreams: Progress and concerns

Background Reports

Final Departmental Business Plan 2021/22 – Open Spaces, December 2020.

Gerry Kiefer

Open Spaces Directorate Business Manager, Environment Department

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THE DEPARTMENT'S VISION IS:

We enrich people's lives by enhancing and providing access to ecologically diverse open spaces and outstanding heritage assets across London and beyond.

Our overarching objectives are:

- A. Open spaces and historic sites are thriving and accessible.
- B. Spaces enrich people's lives.
- C. Business practices are responsible and sustainable.

Our major workstreams this year will be...

1. Implement the required savings to deliver a balanced budget within the reduced core funding envelope through a combination of reducing expenditure, increasing income.
2. Implement actions arising from the new Target Operating Model and provide open and early communication to all employees.
3. Progress the landscaping of Finsbury Circus, the replacement playground at West Ham Park and all other RASC approved capital projects including the Climate Action Strategy.
4. Work with other CoL Depts to commence the entire overhaul of Tower Bridge's High Voltage system, hydraulic pipework replacement and implementation of permanent solutions following the extensive Working at Heights review.
5. Working with City Surveyors, progress future use of the nursery site at West Ham Park.
6. Assess impact of expanded ULEZ on existing fleet, procurement and supplier capacity and available financial resources.
7. Continue to cultivate the Burnham Beeches Gateway and biodiversity net gain project partnership with local landowners and make ready for grant/funding applications.

The Corporate Plan outcomes we have a direct impact on are...

Outcome 2 - People enjoy good health and wellbeing

Outcome 3 - People have equal opportunities to enrich their lives and reach their full potential

Outcome 5 - Businesses are trusted and socially and environmentally responsible

Outcome 10 - We inspire enterprise, excellence, creativity and collaboration

Outcome 11 - We have clean air, land and water and a thriving and sustainable natural environment.

Outcome 12 - Our spaces are secure, resilient and well-maintained.

What's changed during 2020

- More staff working from home / remotely.
- New ways of working for non office staff to comply with Government guidance
- Increased use of online services for payment and bookings.
- Increased use of cashless payment.
- 'Took our services on-line', increasing the provision of digital content so 'digitally open while physically closed'.
- The massive increase in visitor to the open spaces, due the pandemic, is having a negative long-term impact on the sites' biodiversity and infrastructure.
- Greater focus on generating additional income e.g. through new lease arrangements, licencing, donations, car park charging.

| Plans under consideration | Time Scale |
|--|--------------|
| Offices unlikely to return to full capacity—long term use of office accommodation to be considered | 2022/23 |
| COVID19 operating models will inform future service operations. | 2021/23 |
| Approach to cycling to be reviewed across a number of properties | 2022/23 |
| Visitor attractions, may require re-setting of business models | 2021/23 |
| Prioritising high priority select bids for Capital that meet the precise capital funding criteria | 2021 onwards |

Open Spaces 2021/22 Business Plan



Our Strategic Commitments

Below are some of the Corporate Strategy Actions we will help deliver

Apprenticeship Strategy

- Deliver apprenticeships within the organisation from levels 2 to 7, in terms of placements and training, which generate positive feedback from those involved in completing and delivering them and achieve target retention rates

Climate Action Strategy

- Introduce new land management practices across our open spaces aiming to maximise their ability to remove carbon, and optimise their biodiversity and resilience value
- Advocate the importance of green spaces and urban greening as natural carbon sinks, and their contribution to biodiversity and overall wellbeing

Cultural Strategy

Support cultural excellence in a range of fields and champion an ethos of innovation, creative risk-taking and artistic citizenship

Support the delivery of the City of London's Education Strategy by nurturing an exemplary Cultural Education Partnership

Responsible Business Strategy

- Contribute to delivering the various strategy actions, particularly under the strategy outcome: *The planet is healthier*

Social Mobility Strategy

- Remove barriers, overcome gaps and improve access and participation in order to improve attainment.

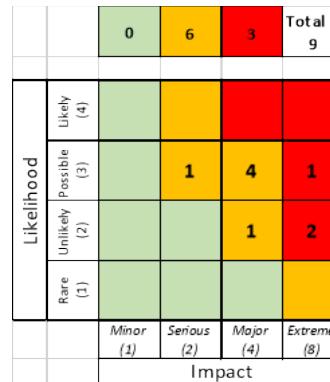
Sport & Physical Activity Strategy

- Contribute to delivering the various strategy actions, particularly under the strategy outcome: *People enjoy good health and wellbeing and health inequalities are reduced*

Volunteering Strategy

- Promote volunteering opportunities and benefits to drive more and better volunteering.

Key Departmental Risks



| Departmental Risk Title | Score |
|--|-------|
| Wanstead Park reservoirs | 24 |
| Repair and maintenance of buildings and structural assets | 16 |
| Maintaining the City's water bodies | 16 |
| Impact of development | 12 |
| Ultra Low Emission Zone (ULEZ) fleet purchase risk | 12 |
| The effect of a major event in central London on the tourism business at Tower Bridge and Monument | 12 |
| Pests and diseases | 12 |
| Health and safety | 8 |
| Extreme weather and climate change | 6 |

These are reported Departmentally apart from Wanstead Park Reservoirs which is a Corporate risk

Open Spaces risks related to COVID-19

| COVID-19 Risk Title | Score |
|--|-------|
| Failure of Cemetery & Crematorium services | 16 |
| Income generation and financial management | 16 |
| Health and Safety of visitors and staff | 12 |
| Bridge lifts at Tower Bridge | 6 |
| Reopening services | 4 |

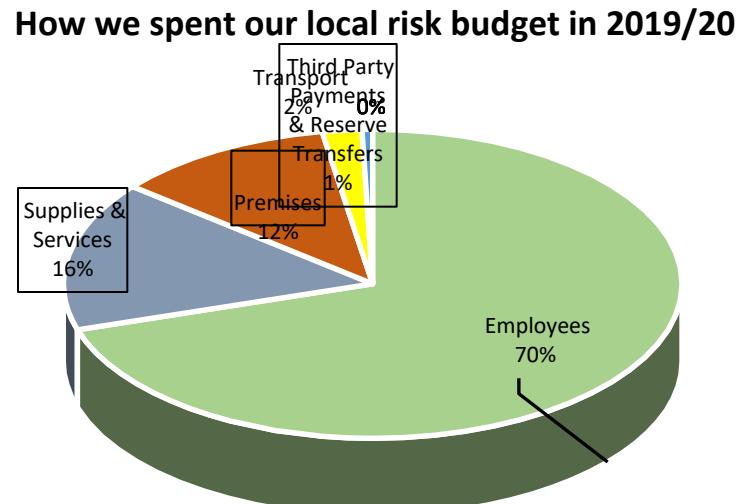
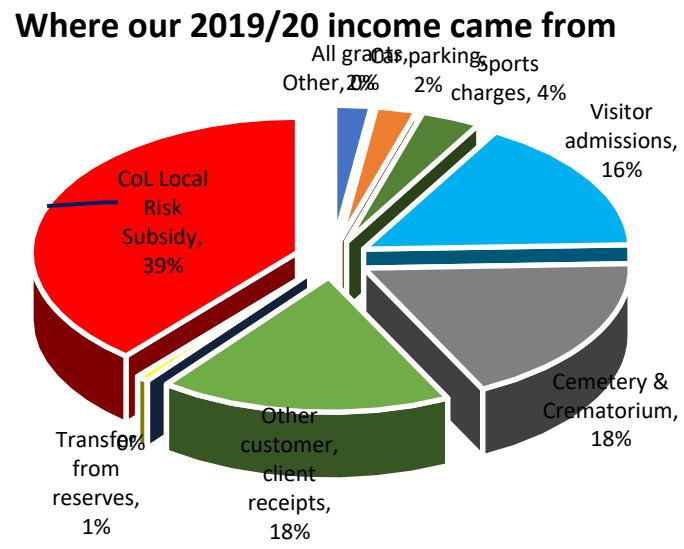
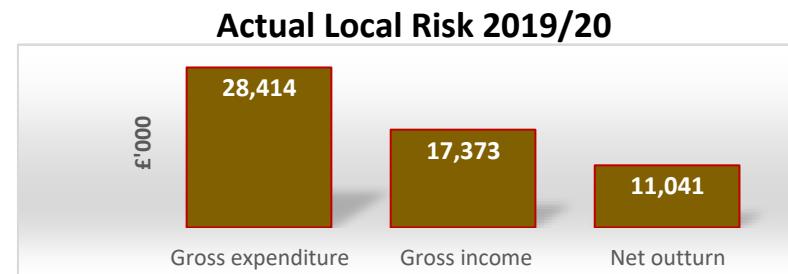
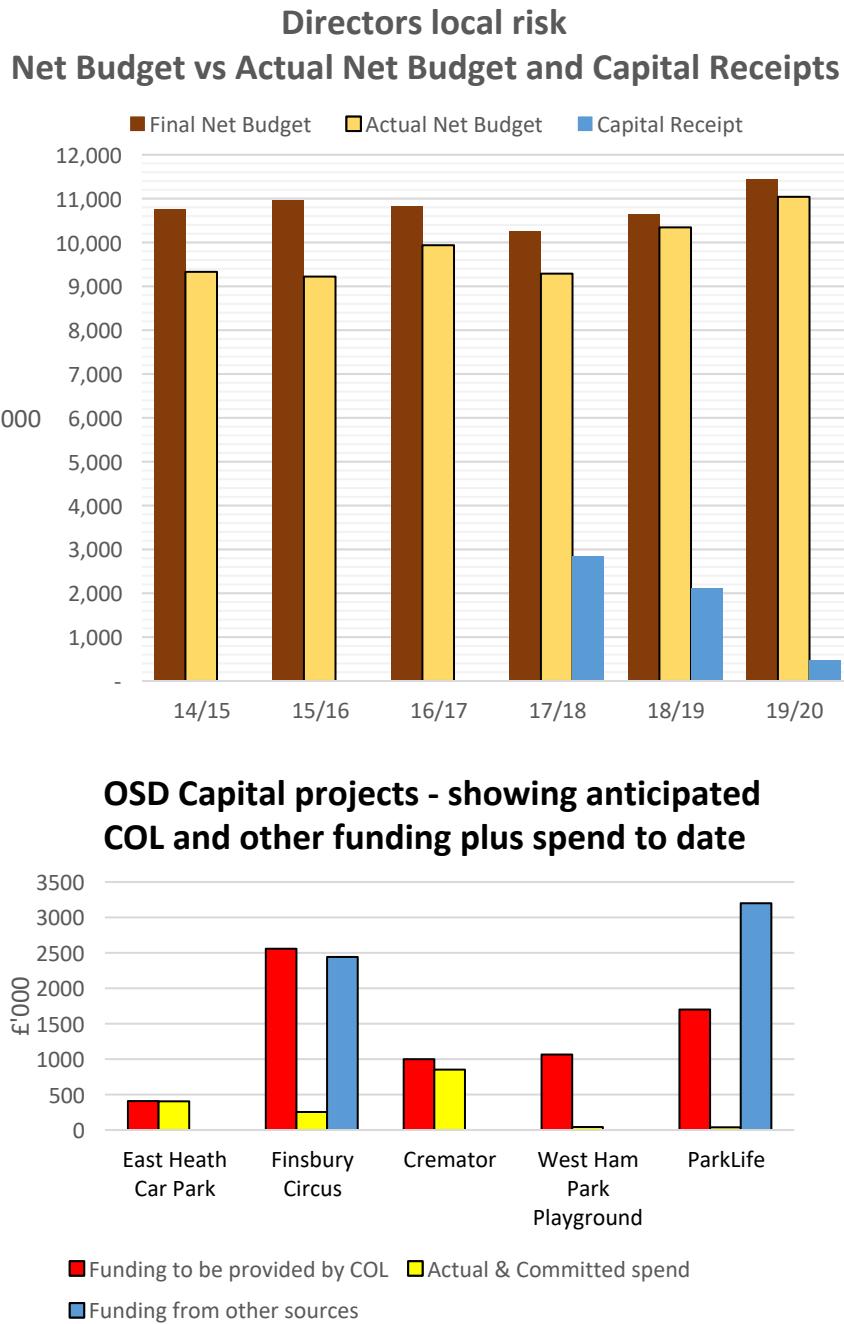
Two additional risks are being considered for inclusion. The risks are:

- Accelerated long-term damage to sites
- Open Spaces workforce wellbeing

These risks are reported Corporately

| Equalities, Diversity and Inclusion Self Assessment | Score |
|--|-------|
| Monitoring and use of data & information | 4 |
| Completing Equality Analysis and tackling discrimination and barriers to inclusion | 3 |
| Target setting and mainstreaming equalities into performance systems | N/A |
| Using procurement and commissioning to achieve equality and cohesion targets | N/A |
| Engagement and partnership | 3 |
| Employment and training | 2 |

Where 4 is excellent and 2 is average



THE DEPARTMENT'S VISION IS:

We enrich people's lives by enhancing and providing access to ecologically diverse open spaces and outstanding heritage assets across London and beyond.

The Open Spaces Department's three top line objectives and twelve outcomes are:

- A. Open spaces and historic sites are thriving and accessible**
 - ✓ Our open spaces, heritage and cultural assets are protected, conserved and enhanced (12)
 - ✓ London has clean air and mitigates flood risk and climate change (11)
 - ✓ Our spaces are accessible, inclusive and safe (1)
 - ✓ Our habitats are flourishing, biodiverse and resilient to change (11)
- B. Spaces enrich people's lives**
 - ✓ People enjoy good health and wellbeing (2)
 - ✓ Nature, heritage and place are valued and understood (3)
 - ✓ People feel welcome and included (4)
 - ✓ People discover, learn and develop (3)
- C. Business practices are responsible and sustainable**
 - ✓ Our practices are financially, socially and environmentally sustainable (5)
 - ✓ London's natural capital and heritage assets are enhanced through our leadership, influence, investment, collaboration and innovation (10)
 - ✓ Our staff and volunteers are motivated, empowered, engaged and supported (8)
 - ✓ Everyone has the relevant skills to reach their full potential (8)

KEY: The numbers in brackets show how the Open Spaces Outcomes link to the twelve Corporate Plan Outcomes 2018-2023.

| Performance Measures | 2020/21 Performance | 2021/22 Direction of travel / target |
|---|---|---|
| Green Heritage Accreditation | 13 Awards | 13 Awards |
| Green Flag Awards | 15 Awards | 15 Awards |
| Active ancient tree management as part of the Stewardship Schemes at Epping Forest & Burnham Beeches. | As per Stewardship agreement - annual data not yet available | As per Stewardship agreement |
| The condition of our Sites of Special Scientific Interest | No new assessments in 2020 to enable any change to have been recorded | All re-assessed SSSI's are rated 'favourable' or 'unfavourable recovering'. |
| Number of visits to Open Spaces Departments webpages | 647,457 to date | Increase |
| Tennis court usage | 26,953 to date | Maintain |
| Customer satisfaction at Tower Bridge | New COVID19 related measure - annual | Maintain |
| Our environmental footprint | Annual data not yet available | Link to Climate Action Strategy |
| Net expenditure (OS local risk only) | Achieve readjusted budget | Achieve budget |
| Income generated (OS local risk) | Achieve budget | Achieve budget |
| Learning & volunteer programme - various measures | Annual data not yet available | Increase |
| Apprentice performance – various measures | Annual data not yet available | Maintain |
| Short term sickness | 1.21 to date | Maintain |
| H&S accident investigations | 88% to date | Corporate target |

Appendix 2 - Performance measures – position at 6 months, where available

| | Performance Measure Description | 2021 / 22 Target (annual) | | 6 month performance (where available) |
|---|--|---|--|---|
| 1 | Green Heritage Site Accreditation | Retain 13 Awards | | Achieved 14 Awards New accreditation for Coulsdon Common |
| 2 | Green Flag Awards | Retain 15 Awards | | Achieved 15 Awards |
| 3 | Improving the condition of our Sites of Special Scientific Interest | All SSSI's that are re-assessed by Natural England are rated as being in 'favourable' or 'unfavourable recovering' condition. | | Annual Measure |
| 4 | Reducing our environmental footprint | Reduction in utilities, increase in generated electricity | | Annual Measure |
| 5 | Influencing planning authorities development approvals and planning policy documents | Influence planning applications and local plans | | Annual Measure |
| 6 | Active management of our ancient trees as part of the Stewardship Schemes at Epping Forest and Burnham Beeches. | Epping Forest = 354. Burnham Beeches = 61. | | Annual Measure |
| 7 | The number of 'visitors' to the Open spaces webpages. | Increase on 2020/21 actual (806,000) | | 698,512 |
| 8 | Learning & volunteer programme measures | Increase in positive and very positive responses to the 'learning impacts' | | Annual Measure |
| 9 | Increase the number of visits to our heritage visitor attractions (This includes Tower Bridge, Monument, Keats House, The Queens Hunting Lodge hub and The Temple) | No target set due to Covid19 risk assessments limiting number of visitors | | Tower Bridge = 107,353 Monument = 2,921 (significantly reduced opening) Keats House = 1,139 (Reduced opening. House visitors only) Queen's Hunting Lodge hub = 9,114 |

| | Performance Measure Description | 2021 / 22 Target (annual) | | 6 month performance (where available) |
|----|---|--|--|---|
| 10 | Improve customer satisfaction at our heritage visitor attractions (This includes Tower Bridge, Monument, Keats House, Epping Forest experience) | Improvement at Tower Bridge, Keats House and Epping Forest experience |  | Annual Measure |
| 11 | Increase the number of hours of tennis court usage | Maintain the number of visits achieved in 2020/21 (50,663) |  | WHP = 12,031 Parliament Hill = 15,304 Golders Hill Park = 5,737 Queen's Park = 9,296 Total = 42,368 |
| 12 | Apprentice performance | 81% pass their training qualification 20% get jobs, 25% progress from level 2 to level 3 |  | Annual Measure |
| 13 | Average number of days per FTE short term sickness | 3.00 |  | 0.23 average April to July. Not available from August onwards as amalgamated into Environment Department data only |
| 14 | Health and safety accident investigations | 85% Corporate target |  | 91% |
| 15 | Open Spaces Department (all) Net expenditure (OS Director local risk only) | £11,951,000 |  | £5,271,200 (44%) |
| 16 | Open Spaces Department (all) Income generated (OS Director local risk) | £14,170,000 |  | £7,422,309 (52%) |

Appendix 3 – 21/22 Business Plan progress - seven major workstreams

| | |
|--|---|
| 1. Implement the required savings to deliver a balanced budget within the reduced core funding envelope through a combination of reducing expenditure, increasing income. | |
| Progress | <ul style="list-style-type: none"> ✓ £1.4M of the 12% savings were identified within the budget. ✓ £141k of the total £245k unidentified savings have been achieved through additional income generation or holding posts vacant. |
| Areas of concern | <ul style="list-style-type: none"> ○ City Gardens savings can only be achieved as part of the TOM process ○ Monument is currently only opening weekends and school holidays and failing to meet its break even admissions target |
| 2. Implement actions arising from the new Target Operating Model and provide open and early communication to all employees. | |
| Progress | <ul style="list-style-type: none"> ✓ Executive Director Environment commenced August 2021. ✓ TOM report due to go to Design Advisory Board in December and Establishment Committee on 19 January 2022 ✓ Ongoing provision of staff briefing sessions and newsletters |
| 3. Progress the landscaping of Finsbury Circus, the replacement playground at West Ham Park and all other RASC approved capital projects including the Climate Action Strategy. | |
| Progress | <ul style="list-style-type: none"> ✓ Finsbury Circus – RIBA Stage 4 designs completed, beginning tender documentation ✓ West Ham Park Playground – Tendering/ procurement for main contractor completed, Gateway 5 approval received (Nov 21). ✓ Hampstead Heath ponds & lido access and security improvements – Project currently at GW 2. A Project Manager and Landscape Architect have been appointed. ✓ Tower Hill playground – Gateway 2 approval received (Nov 21) ✓ East Heath car park – Project completed ✓ ParkLife – Limited progress, update report for January Committee ✓ Carbon Removal (Climate Action Strategy) – Gateway 5 sign off for first habitat creation site completed (Patmore's wildflower meadow); consultants started study to identify further opportunities for carbons sequestration throughout the Open Spaces; plan development and stakeholder engagement for the Copped Hall wood pasture restoration and creation project. |
| Areas of concern | <ul style="list-style-type: none"> ○ West Ham Park Playground – Funding strategy as per previous approval, however, post tender indicates marginally increased project sum. Delay in programme by 4 weeks. Project within approved funding. ○ Hampstead Heath – City Surveyors to revisit programme schedule to avoid disruption to ponds and Lido during busiest summer months. |

| | |
|--|---|
| | <ul style="list-style-type: none"> ○ Tower Hill playground – Loss of staff within City Gardens team could cause delay in delivery. ○ ParkLife – Football Foundation (FF) revenue sources significantly impacted by Covid 19 lockdowns. FF undergoing an organisation restructure. Funding still secure but FF administrative changes halted progress. Remains a £200k funding gap. ○ Carbon Removal (Climate Action Strategy) - delays in recruiting to Project Manager post, JD revised and being readvertised. |
|--|---|

4. Work with other CoL Depts to commence the entire overhaul of Tower Bridge's High Voltage system, hydraulic pipework replacement and implementation of permanent solutions following the extensive Working at Heights review.

| | |
|-------------------------|--|
| Progress | <ul style="list-style-type: none"> ✓ Hydraulic Pipework Replacement – in the final phase of a 10 month overhaul with practical completion scheduled for end Nov 2021 ✓ High Voltage System Overhaul – major project due to start onsite Nov 2021 ✓ Upgrade of Bridge Driving Systems – software upgrade complete and hardware controls elements being replaced while opportunities arise during the two major projects listed above ✓ Working at Heights – project ongoing with positive progress to date in terms of implementing improvements across the unique working environment presented by Tower Bridge. |
| Areas of concern | <ul style="list-style-type: none"> ○ All works required urgently but naturally the risk of system failure is increased while multiple projects are carried out simultaneously. |

5. Working with City Surveyors, progress future use of the nursery site at West Ham Park.

| | |
|-------------------------|--|
| Progress | <ul style="list-style-type: none"> ✓ Shortlist of proposed developers approved at Committee in October. Deadline for Round 2 bids is mid-November, after which detailed evaluation will take place in accordance with agreed criteria. Full public consultation to follow beginning April 2022. |
| Areas of concern | <ul style="list-style-type: none"> ○ Concern from local residents, who have instigated a “Trees not Towers” campaign. |

6. Assess impact of expanded ULEZ on existing fleet, procurement and supplier capacity and available financial resources.

| | |
|-----------------|--|
| Progress | <ul style="list-style-type: none"> ✓ West Ham Park: only one vehicle in the fleet remains non-compliant. ✓ City Gardens: Fleet fully compliant. ✓ Epping Forest: additional compliant vehicles required and orders placed ✓ NLOS: Procurement in place to replace non-compliant vehicles |
|-----------------|--|

| | |
|-------------------------|--|
| Areas of concern | <ul style="list-style-type: none"> ○ West Ham Park: Procurement delays caused initially by Covid lockdowns and latterly by supply chain issues and the ability of suppliers to meet customer needs, has resulted in a 12-month delay to purchase the required vehicle. This will inevitably impact on 2022/23 financial year budgets unless a carry-forward of any surplus funds from this year can be arranged. ○ NLOS and Epping Forest: supply chain issues and long lead in time for delivery of vehicles may mean receipt is close to financial year end. |
|-------------------------|--|

7. Continue to cultivate the Burnham Beeches Gateway and biodiversity net gain project partnership with local landowners and make ready for grant/funding applications

| | |
|-------------------------|---|
| Progress | <ul style="list-style-type: none"> ✓ Regular meetings held with partner organisations. ✓ Biodiversity surveys of adjacent land all completed, final reports due by January. Initial results indicate it is a very special area and could be an effective buffer to Burnham Beeches. ✓ Initial meeting held between tenant farmer and National Trust/Dorney Wood staff concerning changes in farming financial environment (delayed from July) ✓ Additional £10,000 funding offered to project by Buckinghamshire Council to progress financial options. |
| Areas of concern | <ul style="list-style-type: none"> ○ Delay in initial meeting with tenant farmer and uncertainty over direction of travel has delayed progress and threatens ability to receive funding from Bucks in agreed time scale - an extension is being requested. |

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Agenda Item 7

| Committee(s) | Dated: |
|---|-------------------------------|
| Epping Forest and Commons | 17/01/2022 |
| Subject: Epping Forest - Superintendent's Update for October to November 2021 (SEF 01/22) | Public |
| Which outcomes in the City Corporation's Corporate Plan does this proposal aim to impact directly? | 2, 5, 11 & 12 |
| Does this proposal require extra revenue and/or capital spending? | No |
| If so, how much? | N/A |
| What is the source of Funding? | City's Cash Local Risk |
| Has this Funding Source been agreed with the Chamberlain's Department? | N |
| Report of: Juliemma McLoughlin, Executive Director Environment Department | For Information |
| Report author: Paul Thomson – Superintendent of Epping Forest | |

Summary

This purpose of this report is to summarise the Epping Forest Division's activities across October to November 2021.

Of particular note was the further increase in fly tipping across the Forest and successful prosecutions for fly tippers; the current position on Fairmead Road and Manor Road Traffic Regulation Orders; the commencement of consultancy work by Land Use Consultants on carbon recovery options for City Corporation-funded Open Spaces; the birth of 54 Longhorn cows and the declaration of both an Avian Influenza Prevention Zone across the UK from 3 November and the inclusion of the south of Epping Forest in the Higher Risk DEFRA mapping, reflecting concern by health agencies regarding the spread of the Avian Influenza HPAI H5 strain in the wild bird population.

Recommendation(s)

Members are asked to:

- Note the report

Main Report

Staff & volunteers

1. A new temporary member of staff was recruited in October to cover the role of Geographic Information Systems (GIS) Officer.

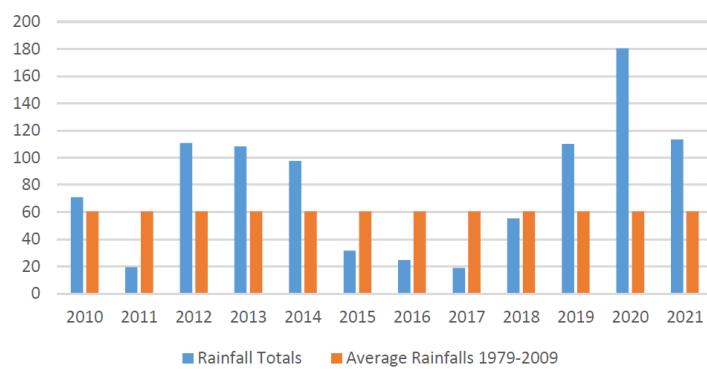
Budget

2. At end of November, 8 months or 67% through the financial year, spend is at 59% of allocated budget, but this assessment is prior to upload of revised September forecast figures. Income continues to perform better than originally predicted and the Charity continues to hold a number of vacancies, as part of the current Departmental Target Operating Model (TOM) restrictions. Significant expenditure is also committed on Phase II of the car parking charging project, lodge income refurbishment projects and the substitution of London Ultra-Low Emissions Zone-compliant fleet vehicles. Overall spend is forecast to be on budget this financial year.

Weather

3. October 2021 saw a total of 113.4 mm of rain which is 87.2% above the average rainfalls between the period of 1979-2009 of 60.58 mm. October 2021 year saw the second highest October rainfall in the period 2010-2011, with 2020 having the highest total of 180.4 mm.
4. In total, October 2021 had a total of 18 days of recorded rain. On the 4th, a high of 28.4 mm was recorded.

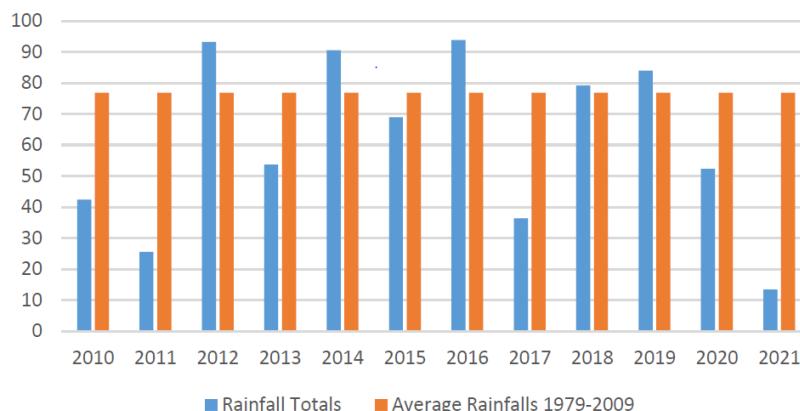
October Rainfall at IG10 4AF



5. November 2021 saw a total of 13.4 mm of rain which is below the average rainfalls between the period 1979-2009 which was 76.86 mm. Also, November 2021 saw the lowest rainfall total recorded in November in the period 2010-2021. The highest year in this timeframe was 2016 with 93.8 mm. This equates to an 85.6% decrease in rainfall between this year and 2016.

6. In total, November 2021 had a total of 17 days of recorded rain. On the 26th, a high of 4.8 mm was recorded.

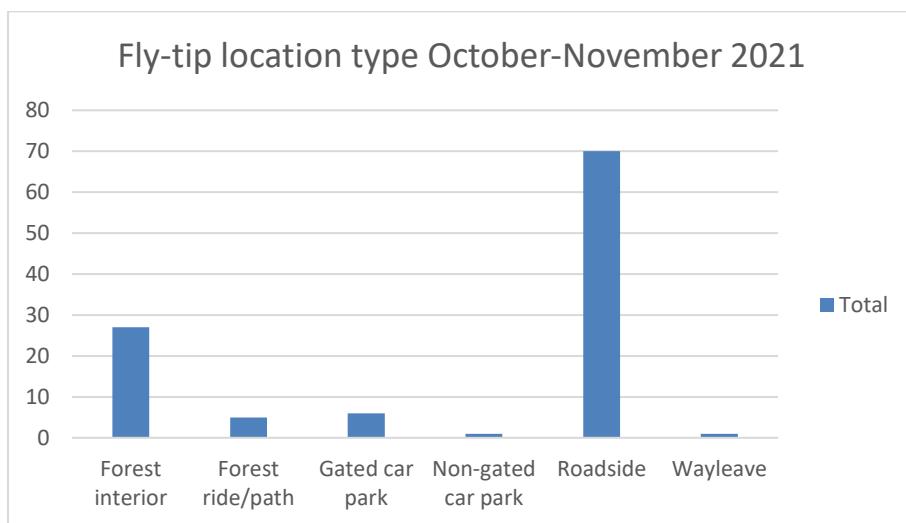
November Rainfall at IG10 4AF



Forest Services

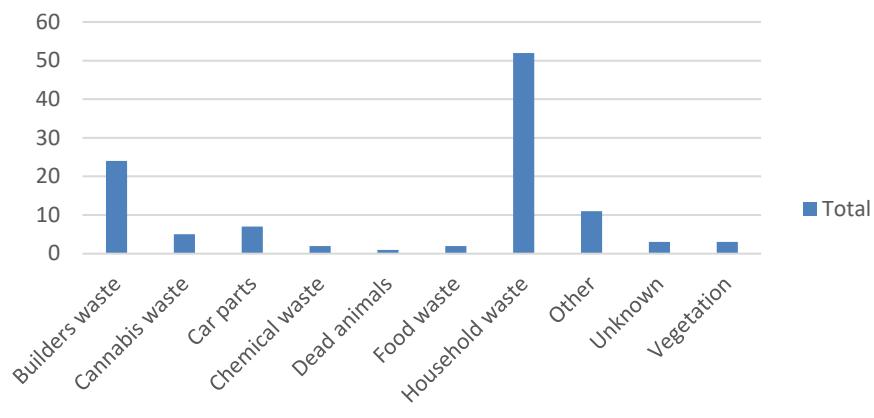
Fly-tipping

7. There was a total of 110 fly-tips recorded over the period of October – November 2021, this is a 72% increase over the same period in 2020. This may be due to the existing restrictions on household waste centres and other factors such as changes in household consumption, travel and leisure patterns.



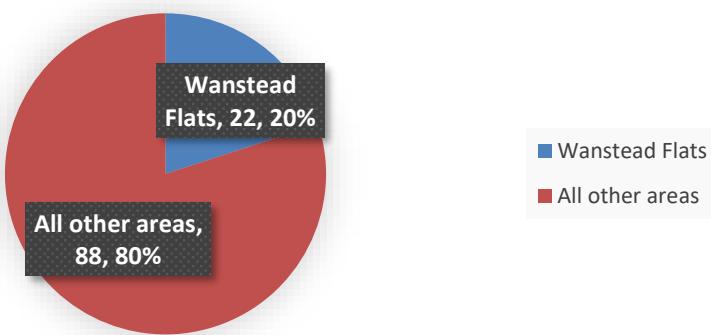
8. Roadside locations represented 64% of the tip locations over the period.

Fly-tip content type October-November 2021



9. Household waste represented the largest category of items tipped over the period at 52 (47%), while 'Other waste' (concrete, polystyrene, wires etc.) represented 11 tips (10%).

Fly-tip in Wanstead Flats area: October-November 2021



10. There were 22 fly-tips in the Wanstead Flats area over the period which represents 20% of all tips. 10 of these tips were on Forest Land adjacent to Highway Land on Capel Road.

Enforcement Activity

11. Six Environmental Protection Act (EPA) prosecutions for fly tipping-related offences were successfully heard in the period under report, with fines totalling £2,720.

| Date | Defendant Name | Offence Accepted 33:Deposit 34:Duty of Care | Court Name | Costs Recovered |
|------------|----------------|---|------------|---------------------------------------|
| 14/10/2021 | DADEN | EPA 33 1 (a) | Chelmsford | Fine: £480 Costs: £480 V/S: £48 |

| | | | | |
|--|------------|------------------|--------------|--|
| 14/10/2021 | FARDOS | EPA 33 1(a) | Chelmsford | Fine: £250 Costs: £220 V/S: £34 |
| 14/10/2021 | NASSER | EAP 33 1(a) | Chelmsford | Fine: £250 Costs: £220 V/S: £34 |
| 02/11/2021 | CRICON | EPA Sec 33 1 (a) | Barkingside | Fined £1230 Costs £600 V/S £123 |
| 16/11/2021 | WILSON | EPA Sec 34 1 (a) | Chelmsford | Fine - £961 Costs - £480 V/S £96 |
| 30/11/2021 | STAN O & M | EPA 33 1 (a) | Barkingside | Fine £960 Costs £720 V/S £96 |
| 30/11/2021 | DOOKHIT | EPA 33 1 (a) | Barkingside | Adjourned to 25/01/2022 |
| Total Costs Awarded to Epping Forest (Including Compensation) | | | £2720 | |
| Total | | | £2720 | |

Licences

12. A total of 47 licences for events were issued during the months being reported, which yielded an income of £60,447.77 plus VAT. 33 licences were issued during the same period in 2020 yielding an income of £52,766.60. There has been an increase in the number of licences issued due to Utilities Companies and Filming Companies advancing projects that they were unable to complete due to the pandemic.

Unexplained Deaths

13. There have been no unexplained deaths reported over this period.

Rough Sleepers

14. There have been five Rough Sleeper encampments located during the reporting period. All Rough Sleepers continue to be managed in partnership with Local Authorities through the No Second Night Out (NSNO) protocols.

- 08/10/21 – Northeast of Strawberry Hill Pond
- 13/10/21 – Outside The View
- 19/10/21 – Near Strawberry Hill Pond
- 28/10/21 – South of Epping Cricket Ground
- 22/11/21 – Near Jubilee Pond

15. To date over 2021 there have been 46 reported cases of Rough Sleepers in comparison to 63 in 2020. Within this reporting period there have been 5 reports of Rough Sleepers in comparison to 2020 where there were 6 reported cases over the same period.

Unauthorised Occupations

16. There have been no reports of Traveller Incursions during this reporting period.

17. There has been no reported Unlicensed Music Events (UMEs) on Forest Land.

Dog Incidents

18. There have been four recorded dog-related incidents during this reporting period all related to nuisance at Wanstead Park associated the volume of dogs being exercised by individual owners.

- 10/11/21 - Wanstead Park - too many dogs being walked
- 17/11/21 – Wanstead Park ten dogs being walked
- 24/11/21 – Wanstead Park - someone walking 12 dogs.
- 26/11/21 – Wanstead Park general complaint about dogs in the park.

Deer Vehicle Collisions

19. Epping Forest staff dealt with a total of 3 deer vehicle collisions (DVC) during this reporting period.

- 12/10/21 – South of Wake Valley Car Park
- 26/10/21 – Near Esso Garage by Warren Wood
- 26/10/21 – Goldings Hill

Car Park Charging Scheme

20. The second phase of the car parking charging project was implemented in November rather than September, due to in the national shortage of building materials. This involved ten new pay and display meters and 92 new pieces of signage across 22 car parks. Charging in these locations went live on 22 November.

21. On 15 November four Parking meters in High Beech were vandalised, with damage to their solar panels. The machines remained operational, and the solar panels were temporarily replaced with blanking plates.

| | Hourly P&D Income** £ | Permit Income £ | Penalty Notices £ |
|--|-----------------------|-----------------|-------------------|
| | | | |

| | | | |
|----------|-----------|-----------|----------|
| October | 23,371.83 | 3,994.37 | 3,892.68 |
| November | 24,853.30 | 10,721.77 | 3,497.09 |

** Hourly P&D income includes income from the RingGo systems and car payment machines at High Beach (collected by Horizon).

Cumulative net income from the scheme currently stands at £ 242,703.14, as of November 2021.

Traffic Regulation Orders

22. **Fairmead Road:** Essex Highways have advised that due to a lack of resources the order for confirming the closure of Fairmead Road was not completed and it will therefore be necessary to reopen the road. Based on the feedback from the public consultation on closure, a proposal for the restricted night-time closure of the road is being considered.
23. **North Essex Parking Partnership Red Route** There have been 18 Penalty Charge Notices (PCNs) issued between 1 October and 21 November. These figures do not include PCNs issued from the NEPP camera car footage. There has not been any enforcement after the 21 November, as the TRO is no longer in place.
24. **Manor Road Gating Order.** The Public Consultation on The Essex County Council (Wake Road, High Beech, Waltham Abbey) (Prohibition of Motor Vehicles) Order 2021 in operation to restrict Anti-Social Behaviour at the Pillow Mounds car park closed at the end of October, and the results of the consultation are still awaited.

Heritage; Landscape and Nature Conservation

Climate Action Strategy

25. As previously considered by your Committee, early opportunities for carbon recovery projects have been identified within Epping Forest Buffer Land, as part of a wider Open Spaces project. In November, consultants from Land Use Consultants (LUC) were appointed to commence a feasibility study exploring opportunities to increase carbon sequestration across all the Open Spaces through changes in land management and habitat creation. This study is being led by research reviews, officer interviews and site visits as well as desk-based assessments including GIS analysis. LUC will be identifying opportunities that have concomitant increases in biodiversity and ecosystem services provision.
26. The Copped Hall project is being developed in detail. As part of this an Environmental Impact Assessment is being undertaken, which is required by the Forestry Commission for areas of tree planting over 2 hectares. The next version of the project design will be presented to your Committee.

27. There was an unsuccessful recruitment to the Carbon Project Manager post and this role continues to be covered by Open Spaces officers. A second recruitment campaign based on a revised job description and grading is underway.

Agri-environment Schemes

28. Contractors have completed wood pasture work for 2021 which started in September at the following sites: Bury Wood, North Long Hills, Chingford Wood, Warren Hill and Rushey Plain. These are major elements of the Countryside Stewardship grant delivery and accelerate the wood pasture restoration in these places which has created new pollards for the future, increased light around veteran pollards, increased the valuable deadwood habitat on site and will promote the re-establishment of ground flora. Contractors will undertake a second phase of wood pasture work from September 2022.
29. The in-house arborists started this phase of veteran tree management across various areas of the Forest in November. Work involves the crown reduction of lapsed pollards that haven't been cut since the late 19th century to stabilise and revitalise them, as well as increase light to promote ground flora establishment, or the repollarding of pollards last cut in the last 30 years to keep them in the pollarding cycle. This phase will continue until March 2022.
30. Intricate conservation work was undertaken by two small groups of volunteers in November at a Knothole Yoke-moss site. This moss species (now re-classified as *Codonoblepharon forsteri*) is the Forest's only Red Data Book plant species and Epping Forest is one of only three sites in the country with this rare moss that only grows on the trunks and root knots of beech. The work released the moss from competition and shading from other plants and cleared former host sites to allow recolonisation.
31. Volunteers have been essential in delivering the Countryside Stewardship grant. The Epping Forest Conservation Volunteers have undertaken 27 tasks and the Epping Forest Heritage Trust have undertaken 27 tasks in 2021. These groups will now be able to record the areas they work from 2022 using the ESRI Fieldmaps app which has been set up by Corporate GIS. This will ensure that delivery data is up to date and will assist with delivery planning. Thanks go to all the volunteers that have taken part in this work.

Grazing

32. In-calf cows started a phased return to fields with non-public access surrounding Great Gregories Yard in preparation for calving. To date 54 calves have been born, 23 Heifers and 31 Bull calves. In the meantime, some autumn grazing on the Forest continued into November at Fairmead and Chingford Plain. The cattle began to switch to more browsing, including browsing on young Holly in Bury Wood and taking Crab Apples across these areas. This autumn grazing is of key importance in helping to manage the wood-pasture mosaic and its structure as well as carrying on with grazing the late grass growth, especially around the vulnerable ant-hills. The supply of dung is also important for some beetle and late-occurring fly species, especially given the warmer temperatures..
33. A Longhorn bull named "Quaker" has been purchased from Scarborough, North Yorkshire. It was acquired from a private dispersal of the prestigious Raincliffe

herd, one of the oldest Longhorn herds in the country whose owner John Backhouse passed away this year.

Heritage

34. Historic England's Heritage at Risk Projects Officer visited the two Iron Age Hill forts in November. At Loughton Camp, Verderer Paul Morris and Epping Forest officers reviewed potential rampart features in the wider landscape that the Camp sits in, as part of improving our understanding of this ancient monument.
35. As part of preparations for a second Countryside Stewardship application on the Forest, Ambresbury Banks was also visited to understand the long-term management requirements for this site and to consider feasible objectives that might be delivered in a 10-year grant agreement.

Forest Protection and planning matters

Town & Country Planning – Local Plans

36. The SAC Mitigation Oversight Group met on 21st October to consider a new draft of the proposed EFSAC SAMMS Partnership Agreement, that is to be present to your Committee at its 17th January 2022 meeting. Good progress was made with the details of the Agreement's Schedules and clauses and the in perpetuity period of 80 years was confirmed.
37. Following detailed consultations with the City Solicitor and Chamberlain, your officers were able to confirm that it was proposed that the City Corporation, subject to Members' approval, as the only Delivery Body would become a signatory and party to the Agreement. Further detailed work was done in November with the City Solicitor to scrutinise the Agreement and to create a financial audit and transactions Schedule with the guidance and advice of the Chamberlain. Comments and amendments were sent through to Natural England at the end of the month.
38. **Epping Forest District Council (EFDC) Local Plan:** following your Chairman's response to the Planning Inspectorate of 23rd September no further information has been forthcoming about the Main Modifications process. An update of 2nd November on the EFDC Local Plan website confirmed that the Inspectors were in the process of considering the responses to the Main Modifications consultation and that a report from them on the outcome of their deliberations would be published in the first quarter of 2022.x
39. **London Borough of Waltham Forest (LBWF) Local Plan:** the dates for the LBWF Local Plan examination-in-public were published during this period and the Planning Inspectors published their Matters, Issues and Questions consultation – with eight key questions around the Habitats Regulations Assessment (HRA) of the Local Plan.
40. In the meantime, discussions continued with LBWF's consultants in October on sections of the HRA dealing with the air pollution impacts and the urban effects of the proposed development on Epping Forest SAC. Both Natural England and your officers made clear their significant reservations about the HRA, particularly on air pollution but also on alternative greenspaces. During this period the HRA

had not been updated to ensure it was complaint with the Habitats Regulations. Natural England had further discussions with the consultants on air pollution and liaised closely with your officers on the issues being encountered.

41. The residential site allocation at Whipps Cross was the subject of a series of meetings between your officers, Natural England and LBWF planners to examine the mitigation offer in more detail. The conclusion of the series of meetings was the withholding of the objection to the proposals on the basis of a greater amount of mitigation. Further discussions on the details of the mitigation package are to continue in 2022 with LBWF and the applicant.
42. **London Borough of Enfield (LBE) Local Plan:** following your Chairman's response to LBE on its Regulation 18 consultation on 21st September no further response has been received from the Council. LBE is now deliberating on the consultation responses and a new version of the Local Plan for the Regulation 19 consultation is expected in Spring 2022.

Town & Country Planning – Development Control

43. In EFDC' area three objections were made, as follows:
 - EPF 0220 21 – 158 Queens Road, Buckhurst Hill – 3 x 3 bedroom houses within 300m of SAC – no recreational impact HRA provided.
 - EPF 2408 21 – 73 Lindsey Street, Epping – 10 residential dwellings, with 2km of EFSAC.
 - EPF 2298 21 – Station Way, Buckhurst Hill - former council garage block, with proposed 4 x 3 bedroom houses. HRA concluded no impact on SAC, but an Appropriate Assessment (AA) was not provided.
44. In LBWF area two objections were made, as follows:
 - LBWF 213212 – 83 Whitehall Road, Woodford – demolition of existing houses (two bungalows) and replacement with 8 dwellings (6 x 2 bed & 2 x 3 bed). Is within 150m of EFSAC, no Air Pollution or Recreational Impacts assessed at all.
 - LBWF 213153 – Hawksmouth. Former farm and single property (has been a vacant plot for a significant time. Proposed 21 dwelling development, site borders the EFSAC.

Land Registration, Access Audit & Wayleaves

45. No further Land Registrations were made during the period.

Operations

CSS Works

46. In-house teams commenced work on the new seasons pollarding as part of the ten-year CSS program. The delay in agreeing the CSS contract has meant that we started the year without being able to commence works in January and February and hence have a backlog of trees to catch up on. Progress by the

team has been good towards meeting the backlog with *circa* 100 trees worked out of a total of 175 required in this period. Additional resources are being sought to eliminate the backlog during 2022.

47. Staff commenced the first phase of a ten-year program to sensitively remove encroaching scrub on and around the Loughton Camp Scheduled Ancient Monument. This work is funded under the CSS program.

Insurance works

48. No specific site management actions were required during this period. The Head of Operations is however working with the insurance team to prepare for a liability claim planned for court in February 2022.

Risk Management Works

49. Tree Safety: The main focus of work during the period continues to be the works on the 400 or so London Plane trees in the Wanstead Flats area. The trees have been especially badly impacted by *Massaria* disease and almost every tree is requiring works with most requiring work on the edge of busy highways. To help reduce the previously reported backlog of work arising from staff shortages, two Agency arborists are being sought. Work is also underway to prepare a number of work packages in high-risk zones where it is hoped to secure resources to contract out the works early in 2022.
50. Highway verge cutting work on highway verge cutting was completed by our new contractor in October. In addition, in-house staff have worked the roadside vegetation along Bell common which helps to maintain the open vista on the common and keeps the elm growth in check.
51. Reservoir works: In-house staff undertook exploratory clearing of vegetation areas on the west of the Herony Pond at Wanstead Park. The aim of these were to locate two piped water inlets to the pond. An inlet from the Shoulder of Mutton Pond was rediscovered and, coincidentally, for the first time in a few years due to the wet weather has begun to flow quite freely helping to fill water levels in the Herony Pond. A second inlet bringing water from Northumberland Avenue proved more elusive despite opening a relatively large area. Colleagues from the City Surveyor's Department have subsequently located this inlet which appears blocked and this inlet will be the subject of future investigations to see if the feature can be reinstated to a more active condition.

Access Works

52. Work completed on opening up the path on either side of Baldwins Pond. This has significantly opened the path to the drying effects of sunlight and air movement and will be helpful over the winter to reduce some of the very poor accessibility of this path. In 2022, it is planned that this path will be upgraded as part of repair works on the dam forming Baldwins Pond.

53. Viewpoints: The Charity has been made aware of a 38 Degrees online petition seeking ‘the restoration of the lost views of London from Pole Hill’. So far, the petition has attracted 54 signatures. Work was already underway by the Operations and Visitor Services teams on assessing the Forest’s most significant viewpoints with a view to preparing a phased programme for restoring views within the current consent’s regimes.
54. Car Park signage: In-house teams installed the second phase of car park signage during this period. Works were delayed due to wood supply problems from France and our supplier provided a discount by way of acknowledgement of the issues. Staff installing the signage have been faced with vigorous public opposition to the car park charging project.

Visitor Services

Learning and Education (Learning Team)

55. The Learning Team ran a successful school term programme, with 587 children booked in for facilitated workshops at the Forest and the Tudor Hunting Lodge. The sessions enable the students to develop key skills including team working and problem solving, and to build their understanding of the heritage and environment of Epping Forest. A new ‘festive forest’ workshop was introduced to provide an opportunity for children to be creative and explore the forest, collecting natural materials and designing and making natural crafts.

Chingford Golf Course

56. Total income generated from green fees and shop-related sales amounted to £35,713.00 for October & November compared to £27,644.00 in 2020; an increase of £8,069, reflecting last year’s four-week national lockdown across November 2020. Online bookings increased this financial year compared to the previous year by £2,693.

57. Ground staff have been carrying out regular cutting requirements when the weather allowed to tees, fairways, rough, aprons and greens in order to keep the course set-up for play. Leaf clearance across the course and from ditches was carried out to improve playability and drainage. Greens were sprayed 4 more times with plant feed and a preventative fungicide both to improve the quality of the surfaces and to help prevent greens suffering from winter turf disease. All machinery went through HAV’s testing to ensure safety for operators is followed.

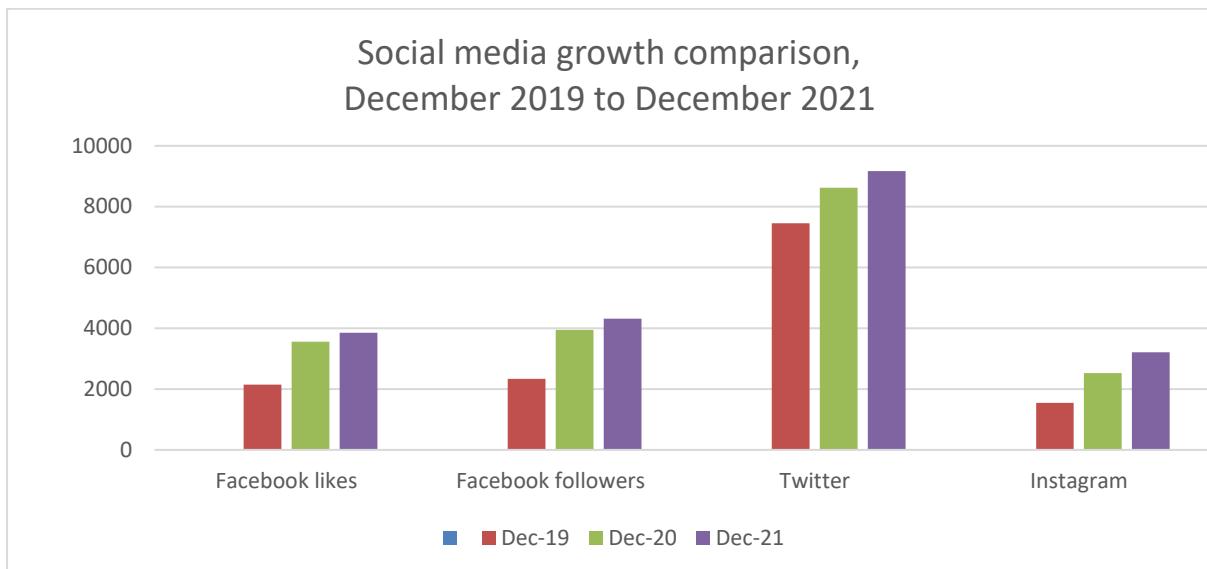
58. An industry-wide consent was provided by the Environment Agency for the use of the insecticide Acelepyn™ to help with treatment on greens for chafer grubs and leather jackets which both cause significant economic damage to fine turf areas resulting in loss of grass coverage. Staff applied the insecticide on all greens and aprons in November to control first and second instars.

Communications

59. As of 15 December 2021, Epping Forest social media following is:

- Twitter followers: 9,170 (an increase of 6%)
- Facebook likes: 3,851 (an increase of 8%)
- Facebook followers: 4,321 (an increase of 10%)
- Instagram followers: 3,212 (an increase of 27%)

60. The chart shows a comparison of our social media followers at the same point in 2019, 2020 and 2021:



61. Top posts on social media for October 2021

- Twitter (8,635 engagements) Introduction to Quaker the bull.
- Facebook: (38,295 reach – hugely successful) Promoting message not to dump pumpkins in Epping Forest & the biodiversity importance of Epping Forest through designations.
- Instagram: (207 likes - our highest ever number of likes on Instagram to date) An image of Grimston's Oak.

62. Top posts on social media for November 2021:

- Twitter (3,821 impressions): A view of the Hunting Lodge through the trees, promoting importance of veteran trees in Epping Forest
- Facebook: (Reach of 6,687) Notification of Phase II car park charges.
- Instagram: (200 likes) Misty light through trees near Debden Camp.

63. Epping Forest news - Forest Focus continues to be distributed digitally each month, with positive feedback received.

64. Two releases went out in October, promoting the new carbon-cutting project at Patmore's Field and a warning re. prosecution of fungi collectors in Epping Forest

– both of which were very well received. The fungi release resulted in TV coverage by ITV news.

One media release went out in November, regarding successful fly-tip prosecutions, which was very successful.

65. Signage - A suite of further car parking signage was produced in advance of the roll-out of Phase 2 charges, implemented in November. Vandalism of the signage has necessitated further orders of replacement signage since the implementation date.

Wanstead Flats

66. Football continued welcoming a total of 306 matches over Harrow Road and Aldersbrook Road for October & November.

67. Ground staff carried out cutting duties when weather allowed, pitch maintenance repairs ensuring all pitches were ready for play now the site area has been reduced. Litter picking and pavilion cleaning was carried out after each match day. The Capel Road sport pavilion walls were again painted to cover graffiti.

68. Parkrun attracted 1,697 runners in the October & November with an average of 13 volunteers helping each week.

Horse Riding

69. Total income from horse riding licences for October & November amounted to £213 compared to £684 the previous year.

70. The Open Horse-Riding season was closed by notification to all riders on 12 November, reflecting the very wet condition of the Forest.

Visitor Numbers

71.

| Visitor Numbers | QEHL 2021 | 2020 | View 2021 | 2020 | Temple 2021 | 2020 | High Beach 2021 | 2020 | Total 2021 | Total 2020 |
|-----------------|--------------|------|--------------|------|----------------|------|-----------------------|------|---------------|---------------|
| October | 91 | 0 | 2058 | 1239 | 0 | 0 | 752 | 0 | 2901 | 1239 |
| November | 60 | 0 | 1826 | 160 | 0 | 0 | 536 | 0 | 2422 | 160 |

72. Visitor Figures for October - November 2021 & 2020. Visitor numbers to the centres remain lower than pre-pandemic, however there is a recovery from 2020.

73. The Queen Elizabeth's Hunting Lodge has been illuminated during November and will be though December and January as part of Waltham Forest's *Spectrum*. Working in conjunction with the local authority, a number of historic buildings across the borough were illuminated with a series of changing patterns and colours to highlight their importance and architectural beauty.

<https://www.walthamforest.gov.uk/events/light-waltham-forest-presents-spectrum>

74. The courtyard at The View, has been decorated for the season using holly and shrubbery from the Forest. Christmas retail lines were in place from late November.
75. During the last week of November, the View hosted an exhibition of local furniture and print makers, this proved popular with visitors as an addition to the popular 'Bee' exhibition which began in October which used more traditional framed art works. Both exhibitions promoted the artists' links to the Forest as a source of inspiration and highlighted links to the natural world in our everyday objects.
76. Patrick Wiley, University College London, a researcher on gypsy and traveller history was given facilitated access to archival material from 1890s held in the Warren.

Major incidents

77. The designation of an Avian Influenza Prevention Zone across the UK from 3 November reflects international concern regarding the spread of the HPAI H5 strain of avian influenza in wild bird populations. There is evidence that there have been significant changes in HPAI H5 epidemiology in Europe to warrant increasing the risk of incursion of HPAI H5 via wild birds in UK from LOW (event is rare but does occur) to MEDIUM (event occurs regularly). While there have been no further HPAI H5N8 outbreaks in captive birds in north-east France, Belgium, and Luxembourg, HPAI H5N1 is spreading in wild birds across Europe, that will be migrating to the UK during the autumn and early winter.
78. DEFRA Higher Risk Area mapping of HPAI H5 risk includes the south of Epping Forest in its assessment, so continued vigilance by staff will remain important alongside cooperation with Local Authority Public Health Teams. The UK Health Security Agency (UKHSA) has said that avian influenza is primarily a disease of birds and the risk to the general public's health remains very low.

Paul Thomson

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E: paul.thomson@cityoflondon.gov.uk

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Agenda Item 8

| Committee(s) | Dated: |
|---|---------------------|
| Epping Forest and Commons | 17/01/2022 |
| Subject: Licences, sports and produce fees and charges (SEF 02/22) | Public |
| Which outcomes in the City Corporation's Corporate Plan does this proposal aim to impact directly? | 4,5,12 |
| Does this proposal require extra revenue and/or capital spending? | N |
| If so, how much? | |
| What is the source of Funding? | |
| Has this Funding Source been agreed with the Chamberlain's Department? | |
| Report of: Juliemma McLoughlin, Executive Director, Environment | For Decision |
| Report author: Jacqueline Eggleston | |

Summary

This report updates your Committee on the performance of charges levied for licensed activities, produce sales and formal sports in the last full financial year 2020/21, and makes recommendations for increases in 2021/22.

In 2020/21 the licensing of activity on Forest land raised a total of £161,055, of which £129,310 was mixed regulatory licences, £1,820 was from fairs and circuses and £29,925.50 from photography and filming.

The sale of produce raised a total £52,456 while the licensing of Horse riding raised £6,368.

Charges for formal sports across 2020/21 raised a total of £362,402 with Association Football income in 2020/21 totalling £16,833 and earnings from Golf reaching £345,569. All income from produce, licences and charges is fully reinvested in the management of Epping Forest.

Proposals are presented for a price increase of 4.9% in line either with the Retail Price Index (RPI) figure (November 2021) or otherwise increased due to benchmarking and review in line with market competition or to reflect the cost to the charity for the activity.

Recommendation(s)

Members are asked to:

- Approve the proposed charges for 2022/23 as itemised in Appendix A and C, and the continued subsidy for association football

Main Report

Background

1. This report encompasses a number of different activities on Forest Land for which a charge is levied. The licensing charges are made to legally record the use of Forest land and assess the risk and liability issues associated with the activity. More generally charging seeks to both reflect the costs incurred by the City of London in administering and enabling the activity and to develop income streams for reinvestment into the management of the Forest in accordance with the City of London Corporation financial regulations.
2. The use of Forest Land for siting of equipment or for certain activities requires a licence under the Open Spaces and Epping Forest Events Policies approved by your Committee on 14.05.2018. In line with the policies licences are assessed and administered through a steering group of officers to ensure that all relevant sections and staff are consulted before a decision is made and to ensure there is an equitable and balanced decision-making process for both the Forest and customers seeking licences.
3. All activities are regulated with due regard to the Conservators' duties under the Epping Forest Acts 1878 and 1880 and any other relevant statutory provisions.
4. By-products of land management activity include beef, venison and wood. These are sold both as wholesale and retail products with the income re-invested into the management of the Forest.

Current Position

5. **Licensing activity** on Forest Land raised £161,055 in 2020/21, a 16% reduction compared to £190,850 in 2019/20 reflecting the impact of the COVID-19 national health emergency regulations.

The income from Forest produce in 2020/21 has provided an income totalling £52,456 (£31,174 in 2019/20) comprising:

| <u>Produce</u> | <u>Income (2020/21)</u> | (income in 2019/20) |
|----------------|--------------------------|----------------------|
| Venison | £ 569 | (£ 8,417) |
| Beef | £ 50,168 | (£ 17,491) |
| Hay | £ 0 | (£ 680) |
| Wood | £ 1,719 | (£ 4,586) |

The increase in income from beef is from cattle sales. The reduction in the sale of venison reflects the suspension of culling activity during the public consultation on the Deer Strategy adopted by your Committee on 08.03.21

6. **Horse Riding** licences brought in an income of £6,368 (£9,559 in 2019/20). Government regulation restricted horse riding in the Forest during lockdown one (23 March – 26 June).
7. The regulatory licences achieved £129,310, (£97,521 in 2019/20), with an additional £1,820 (£22,425 in 2019/20) from fairs and circuses and £29,925 (£70,904 in 2019/20) for photography and filming. The higher figure from licences is from utilities which continued to operate, the lower income from other categories reflects the restrictions on these activities.
8. The end of the football season for 2020/21 achieved a total income of £16,833 (£62,874 in 2019/20). This figure is considerably lower than previous years and was due to the closure of the facilities throughout the majority of the season because of the COVID-19 regulation.
9. **Golf** income at Chingford Golf Course achieved a total gross income of £345,569, some 11% ahead of the £311,180 generated in 2019/20.

This is broken down as:

| | |
|-----------------|----------|
| Green Fees | £322,083 |
| Equipment Sales | £7,415 |
| Drinks Sales | £3,284 |
| Equipment Hire | £12,786 |

10. The end of year net profit figure for Golf in 2020/21 was £109,000. (£40,994 in 2019/20).
11. The net profit for Golf in 2020/21 was low due to expenditure on the Staff Welfare facilities, so the increase in net income this year appears artificially high by comparison, with the gross income figure showing a better reflection of growth
12. Despite the course closure at the beginning of the pandemic, golf was permitted to reopen sooner than other sports. The increased interest in playing golf over the period allowed losses to be recouped and then for an increase on additional years to be achieved.

Proposals

13. When setting fees and charges, officers in the open spaces charities considered the following:
 - The reliance on the Retail Price Index (RPI) measure applied on a specified and consistent release date
 - The benchmarking of the charges and quality of provision with those of neighbouring facilities, which in many instances are our competitors. In some instances, we will therefore not benchmark against our own properties within Open Spaces.
 - The higher than inflation costs of equipment and materials.
 - Work towards reducing subsidy levels in line with Standing Orders obligations.

- Work towards attaining increased cost recovery, recognising that staffing, equipment, and material costs may have increased greater than RPI.

Licencing Applications

14. All the licencing information, pricing, terms and conditions are publicly available on the website and the process ensures appropriate licences and charges are administered in an equitable and transparent manner.

Football charges

15. Football on Wanstead Flats remains popular with similar levels of play maintained each year. Despite some amendments to pricing over recent years Wanstead Flats remain the cheapest pitches to hire in the area, which reflects the ‘standard’ assessment in local pitch strategies on a scale of poor/standard/good quality and the condition of older sports pavilions.
16. Football on Wanstead Flats in common with other Local Authority football provision continues to run at a deficit. The annual deficit amounts to in the region of -£125,000 each year. This equates to an average of just under 50% subsidy per game played.
17. It is proposed that all fees are increased by the inflationary rate of 4.9% (rounded up where needed). This reflects the difficult season held in 2020 and allows teams time to recover financially and restore former playing levels .
18. Appendix C outlines the current season charging at neighbouring football sites compared with Wanstead Flats. It also shows the proposed 4.9% uplift in the hire charges for 2021/22.

Golf fees

19. Golf fees remain at the right amount for the current highly competitive local market. Therefore, weekday charges remain the same with small weekend increase to match competitors, leaving the course at the same level for comparison purposes. Profit is increasing year-on-year at Chingford Golf Course which reflects that the course remains good value in comparison with local competition, as shown in the benchmarking exercise in Appendix B.
20. Golf fees are lower than comparison sites which tend to offer higher quality member facilities and may be private courses with less public access.

Site Compounds/ Excavation

21. Car park hire charges and storage fees have been increased by inflation levels only. However, site compounds have been increased again this year to better reflect the cost to the charity for staff time and loss of amenity and specifically where this takes place within the Site of Special Scientific Interest (SSSI)/Special Area of Conservation (SAC). The new charges are laid out in Appendix A and include fees for additional staff time and consultants time required for site inspections, reinstatement, and other associated costs. The

increase in car park hire reflect the introduction of charges and scaffolding costs have been brought in line with compound charges as the impact is the same.

Options

22. Three options as outlined in Appendix A and C are offered for your committee's consideration:
 - a. Option 1 – To increase fees and charges
 - licence and event fee charges are increased at the Retail Price Index figure of 4.9%.
 - the licence fee for horse riding also be increased by RPI of 4.9% which is the maximum permitted under the Additional Byelaws for the Regulation of Horse Riding.
 - To hold golf and wayleaves charges with no increase
 - charges for private hire of land (compounds and trenching) be amended above RPI to show the full cost to the charity of these works These increases are shown in Appendix A. Additional income will help offset the need to reduce expenditure arising from local risk budget reduction of around 12% **This is recommended.**
 - b. Option 2 - To keep charges as they are. This would be in effect a price cut whilst inflationary increases would still apply to our own expenses. **This is not recommended.**
 - c. Option 3 - To increase licence and produce charges above inflationary levels. Following previous years of above inflation increases charges have been increased annually by RPI and compare with the market level and reflect the difficult year experienced by the recreation sector in 2020. Increasing charges above market level could make our products less saleable. **This is not recommended.**

Key Data

23. **Licensing activity** on Forest Land raised £161,055.50 in 2020/21.
24. Charges for formal sports across 2020/21 raised a total of £362,402.

Corporate & Strategic implications

25. These charges support the Corporate Plan Policy aims and priorities
 - a. Contribute to a flourishing society
 - b. Support a thriving economy
 - c. Shape outstanding environments

Financial

26. City Corporation Financial regulations provide that 'When determining fees and charges to persons or external organisations, all departments should recover full costs, or submit reasons to the appropriate service Committee when that objective is not met.'
27. Full cost recovery on football charges cannot be achieved while local authority providers continue to subsidise the provision of football on welfare-orientated models. The City Corporation has achieved a near parity on charges given the standard of facilities but is unable to recover the full cost of providing this service

Legal

Horse riding

28. Horse riding on Epping Forest is regulated under sections 9 and 10 of the City of London (Various Powers) Act 1990 and by the Additional Byelaws for the Regulation of Horse Riding allowed on 14 May 2003. The Conservators may make reasonable charges for the riding or exercising of horses, by reference to the reasonable cost of the maintenance of ways designated for horses, and the reasonable cost of providing the regulatory regime. Any increases to the charges are limited to no more than the increase in the Retail Prices Index for the period that has elapsed since the charges were last fixed. The Conservators shall take all reasonable steps to notify the public of the revised charges not less than fourteen days before they take effect.

Sales of produce

29. Section 33(1)(i) of the Epping Forest Act 1878 empowers the Conservators, "To fell, cut, lop and manage in due course the timber and other trees, pollards and underwoods, and to sell and dispose of the timber cuttings and loppings, and to receive the proceeds..."
30. Trading that is carried on by a charity in the course of carrying out a primary purpose of the charity is known as "primary purpose trading". Trading that is ancillary to a charity's primary purpose is also legally part of a charity's primary purpose trading. The sale of produce as a by-product of land management activities by the Epping Forest charity would therefore constitute primary purpose trading. This means that the charity may trade more or less freely in pursuit of its charitable objectives. Profits may be exempt from tax if entirely used to support the charity's aims, and there is no requirement to set up a subsidiary trading company, providing the value of trade falls within the charity small trading exemption scheme.
31. In its role as trustee of the Epping Forest Charitable Trust, the City Corporation is under a fiduciary duty to act exclusively in the best interests of the charity. This will normally mean obtaining the best price for produce that can be achieved in the market. However, it may be appropriate in some cases to donate produce, or sell it at a discount, where this is an effective way of using the charity's resources to further its charitable purposes or is otherwise in the charity's best interests.

Events and Activities

32. Section 33(1)(xiii) of the Epping Forest Act 1878 empowers the Conservators to set apart such parts of the Forest as they think fit for the use of the inhabitants to play at sports. Section 76(1)(b) of the Public Health Acts Amendment Act 1907 allows the Conservators to set apart any such part of the Forest as may be fixed for the purpose of any game or recreation, and to exclude the public from the part set apart while it is in actual use for that purpose; and under section 56(5) of the Public Health Act 1925 the Conservators may charge reasonable sums for the use thereof.
33. Under section 8 of the City of London (Various Powers) Act 1977 the Conservators may provide facilities and services for the purpose of providing or improving opportunities for the enjoyment of the Forest by the public, which would include the provision of instructors or guides, and parking places for vehicles, and may make reasonable charges for those facilities and services.
34. Section 7 of the City of London Corporation (Open Spaces) Act 2018 now provides additional powers to hold and charge for events on Forest Land, including film production, having regard to an agreed events policy. Section 10 and the Schedule to that Act also enable the Conservators, following consultation, to make a licensing scheme for the purposes of controlling activity in the Forest carried on for commercial gain, including fitness classes. The licence fee may cover the reasonable administrative costs incurred in connection with such applications, together with such additional charge as the Conservators consider to be an appropriate contribution towards the costs incurred by them in connection with the open space.

'Works' licences

35. The granting of personal licences does not constitute alienation of Forest Land for the purposes of the Epping Forest Act 1878 and is not therefore prohibited so long as the Forest is preserved. Regulating such temporary uses is considered to be the best way of preserving the Forest and avoids any possibility of any prescriptive rights being acquired. As above, the Conservators must generally ensure that any licence granted is on the best terms reasonably obtainable for the Epping Forest charity or is otherwise in the charity's best interests.

Property Implications

36. Licensing various 3rd party temporary activities that the City Corporation is willing to permit upon the Forest should ensure that the City Corporation retains full and proper control of the Forest and able to prevent misuse.

Charity Implications

37. Epping Forest is a registered charity (number 232990). Charity Law obliges Members to ensure that the decisions they take in relation to the Charity must be taken in the best interests of the Charity.

Resource implications

38. Fees and charges, with the exception of football which remains subsidised, reflect the whole cost to the charity and seek to as a minimum whole cost recovery.

Risk implications

39. The alteration of the charging structure for compounds and trenching will in some cases be a significant additional cost to, in the main, utility providers. However, the charges reflect the true cost to the charity of work done on the land by private commercial utility companies.

Equalities implications

40. Charitable and not for profit organisations receive a 50% discount on most fees and charges which may in some cases benefit protected equality groups, for example for youth organisations.
41. A reduction on standard pitch hire charges is made for youth football.
42. An initial screening exercise of the equality impact of this decision has been undertaken by the City Corporation. At this stage, it is considered that there are no negative impacts on the protected equality groups.

Climate implications

43. Licences seek to control the number, location and suitability of activities in Epping Forest to protect its environment. Sustainability criteria is included in heads of terms for larger events.

Security implications

44. Licences ensure that activities held on Epping Forest land comply with all health, safety and other relevant legislation and enables basic due diligence to be undertaken on the licensee.
45. The Open Spaces Events Policy does not allow:
 - Events which could be damaging to community relations
 - Events associated with extremist organisations or proscribed organisations
 - Events which are considered discriminatory or offensive
 - Illegal activities

Conclusion

46. The City Corporation Epping Forest continues to provide excellent value for money recreational opportunities. The charging proposals ensure that as a charity where possible the expenses incurred due to third party use of the charity land are recouped and reinvested into the maintenance of the Forest and that activities can be checked to ensure relevant safety and legislative measures are met.

Appendices

- Appendix A – Current and proposed licence charges
- Appendix B – Golf Course Green Fees Price Comparison
- Appendix C - Football benchmarking and proposed fee increases

Background Papers:

Epping Forest Licence and Produce Charges 2021/22 Jan 2020

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EPPING FOREST LICENSING CHARGES - DRAFT 22/23

rpi 4.9%

*****ALL CHARGES ARE SUBJECT TO VAT IN ADDITION UNLESS INDICATED OTHERWISE*****

| | | 2021/22 Charges | | 2022/23 CHARGES | |
|--------------------------|--|-----------------|---------|-----------------|---------|
| Standard Application Fee | | £ 26.00 | £ 52.00 | £ 27.00 | £ 54.00 |

All licences are subject to standard application plus licence fee charges as shown. Application fee is payable on agreement of licence and is non-refundable.

| EVENTS | | | | | |
|---|--|--|--|--|---|
| Event | Notes | Description/ amount of participants | Charity/ non-profit | Commercial /Charities with turnover > £1,000.000 | Charity/ non-profit |
| One off Sponsored or fundraising events such as charity fun run/ walk/ cycle/ run/ competition/ horse event* <i>* horses must hold Epping Forest horse licence</i> | Includes an event with entrance marker, first aid, table of drinks | Less than 100 | £1 per person or 10% of entrance fee/minimum sponsorship requirement, whichever is greater | £2 per person or 10% of entrance fee/minimum sponsorship requirement, whichever is greater | £1.05 per person or 10% of entrance fee/minimum sponsorship requirement, whichever is greater |
| | | 100 - 500 | | | £2.10 per person or 10% of entrance fee/minimum sponsorship requirement, whichever is greater |
| | | More than 500 – apply through events licence | | See events charges | See events charges |
| Events charges* *where events are free entry additional charges will be made relative to the loss of amenity / scale of event | Events with additional infrastructure and catering, inflatables , music etc. | up to 50 | £0-£260 | £0-£520 | £0-£273 |
| | | 50-499 | £338 + 5 % of ticket price | £676 + 5 % of ticket price | £354.50 + 5 % of ticket price |
| | | 500-4999 | £1013 + 5% of ticket price | £2026 + 5% of ticket price | £1062.50 + 5% of ticket price |
| | | 5000+ | by negotiation | by negotiation | by negotiation |
| Regular run/ walk / cycle* events by clubs <i>*please note we do not license competitive speed cycle races</i> | Up to 20 events each year* | Less than 100 | Annual Fee £208 (includes administration) plus 5% entrance fees | Annual Fee £415.50 (includes administration) plus 5% entrance fees | Annual Fee £218 (includes administration) plus 5% entrance fees |
| | | 100-500 | Annual Fee £208 (includes administration) plus 5% entrance fees | Annual Fee £415.50 (includes administration) plus 5% entrance fees | Annual Fee £218 (includes administration) plus 5% entrance fees |
| | up to 15 events each year* | | | | Annual Fee £436 (includes administration) plus 5% entrance fees |

Regular events with more than 500 participants should be applied for through the events licence. * Capacity of the event site and impact on Forest will be considered and may limit the number of events in any one location

| WANSTEAD FLATS (OUT OF SEASON) | | | | | | |
|--------------------------------|---|---------------|--|----------------------|--|----------------------|
| Football Match or tournament | Additional charges may apply. See below | | Price on application | Price on application | Price on application | Price on application |
| School Sports Day | Dedicated use of mown area only | Less than 100 | £53 per day* | | £56 per day* | |
| | | 100 - 500 | £103.00 per day* | | £108 per day* | |
| | | | * Up to 2 days for the price of one if no additional mowing required | | * Up to 2 days for the price of one if no additional mowing required | |

Levies may apply for football matches/tournaments and sports days which require additional services, examples below. All levies are calculated 'at cost' to COL and no reduction for charity/non-profit is possible.

| | | | | | | |
|--------------------------------------|--|--|--|--------|--|--------|
| Exclusive use of changing facilities | Opening up the building and use of changing rooms. Cleaning and heating costs. | Minimum hire period - 4 hours | | £105 | | £110 |
| | | Additional charge per hour after 4 hours | | £26.50 | | £28.00 |
| Sports Day Line marking | Running track up to 8 lanes + 2 other events needing markings | Based on maximum of 7 hours | | £88 | | £92 |

| SPORTS COACHING OR TRAINING | | | | | | |
|---|--|---------------------|--|---|--|---|
| Personal Training/sports training/football training | Outside only. No toilets, pavilion or parking use. No marked pitch areas to be used. | 1-10 people | £26.* annual | £26* annual | £27* annual | £54* annual |
| | | 11-29 people | | £51.50* annual | | |
| | | More than 30 people | £51.50* annual | £78* annual | £54* annual | £82* annual |
| | | | * plus 10% of fees charged per session | * plus 10% of fees charged per session based on advertised capacity | * plus 10% of fees charged per session | * plus 10% of fees charged per session based on advertised capacity |

| OTHER GUIDED ACTIVITY OR EDUCATIONAL OFFER | | | | | | |
|--|-------------------------------|----------------------------------|--------------------------------------|---------------------------------------|--|---|
| Small Commercial Guided Walks and Tours eg Mindfulness | | Up to max 100 (was from 5 - 100) | | 10% of ticketed price per participant | £27+ 10% of ticketed price per participant | £54 + 10% of ticketed price per participant |
| Forest Schools | Licence | | £25.50 + 5% of fee charged per pupil | £25.50 + 5% of fee charged per pupil | £27 + 5% of fee charged per pupil | £27 + 5% of fee charged per pupil |
| | Tree surveying (as required) | | Price on application | Price on application | Price on application | Price on application |

| FILMING AND PHOTOGRAPHY | | | | | | |
|-------------------------|---|---|--|---------------------------------------|--|---------------------------------------|
| Commercial Photography | Standard shoot based on 8 hours per day | Studio shoot (up to 6 people) e.g. family portrait | | £57 for one off visit/£343 yearly fee | | £60 for one off visit/£360 yearly fee |
| | | Crew size 1 - 5 | | £358.00 | | £375.50 |
| | | Crew size 6 - 15 | | £478.00 | | £501.50 |
| | | Crew size 16 - 30 | | £596.50 | | £626.00 |
| | | Crew size 30 + | | Price on application | | Price on application |
| Commercial Filming | Standard shoot based on 8 hours per day | Crew size 1 - 5 | | £468.00 | | £491.00 |
| | | Crew size 6 - 20 | | £818.50 | | £859.00 |
| | | Crew size 21 - 40 | | £1,169.00 | | £1,226.50 |
| | | Crew size 40 + | | Price on application | | Price on application |

| | | | | |
|--|--|--------------------------|-----------------------|--|
| Non commercial Filming or Photography | Visits by staff necessitated by the nature of the shoot may require additional 'at cost' charges | £25.50 plus costs | £27 plus costs | |
|--|--|--------------------------|-----------------------|--|

Levies may apply for non-commercial filming requests which require additional services. All levies are calculated 'at cost' to COL and no reduction is possible.

OTHER USE OF FOREST LAND

| | | | | | | |
|--|----------------------------------|--|--|---|--|--|
| Skips | Use of Forest land | per week | | £74.90 | | £110.00 |
| Hire of car parks for events or compounds per 8 hours | Large (e.g Bury Road) | Based on 8 hour hire | | £742.00 | | £1,200.00 |
| | Medium (e.g. Fairmead Oak) | | | £447.80 | | £732.00 |
| | Small (e.g.Earl's Path) | | | £148.90 | | £442.00 |
| Scaffolding | Area per day (m ²) | | | £2.53 | | £5.00 per m² per day + VAT |
| | Minimum overall charge inc admin | | | £151.95 | | £250.00 |
| Site compounds, storage, excavation/trenches | Area per day (m ²) | <i>Small (under 5 m²)</i> | | £5.00 | | £5.75 per m² per day +VAT |
| | | <i>Medium (5 m² up to 10 m²)</i> | | £4.00 | | £4.50 per m² per day + VAT |
| | | <i>Large (over 10 m²)</i> | | £4.00 | | £4.00 per m² per day + VAT |
| | | <i>Damage to loss of amenity value</i> | | £1,200 minimum charge for any site + VAT | | Minimum charge £1,200 for Forest Land, rising to £2,400 for SSSI and £3,600 for SAC, all plus VAT |
| | | <i>Officer time</i> | | £40 per hour + VAT | | £40 per hour + VAT |
| | | <i>Consultants time</i> | | £120 per hour + VAT | | £120 per hour + VAT |

This charge applies until all equipment is removed and amenity restored. An additional amenity charge may be levied.

HORSE RIDING LICENCES

| | | | | | | |
|-------------------------------|--|------------|--|---------------|--|---------------|
| Horse Riding Licence | Adult individual/joint and horse | Annual | | £59.96 | | £62.90 |
| | Junior individual/joint and horse | Annual | | £29.31 | | £30.75 |
| | Adult or junior individual/joint and horse | Weekly fee | | £7.50 | | £7.87 |
| | | Daily fee | | £5.24 | | £5.50 |
| Riding School Licences | Riding School | Annual | | £74.94 | | £78.61 |

Please note, horse riding licences are not subject to the standard licence application fee

| Course Name | Private or Public | Postcode | Distance from CGC | Highest Weekday Green Fee | Proposed increase |
|------------------------------|--------------------------|-----------------|--------------------------|----------------------------------|--------------------------|
| West Essex Golf Course | Private | E4 7QL | 1 mile | £45.00 | |
| Abbey Hill Golf Course | Public | MK8 8AA | 55 miles | £36.00 | |
| Birchwood Park Golf Course | Public | DA2 7HJ | 18.4 miles | £34.00 | |
| High Elsm Golf Course | Public | BR6 7JL | 19.3 miles | £30.50 | |
| Richmond Park Golf Club | Public | SW15 3SA | 26.3 miles | £30.00 | |
| Basildon Golf Course | Public | SS16 5JP | 29.2 miles | £27.00 | |
| Stevenage Golf Course | Public | SG2 7EL | 23.1 miles | £26.00 | |
| Cheshunt Park Golf Centre | Public | EN7 6QD | 8.9 miles | £26.00 | |
| Theydon Bois Golf Club | Private | CM16 4EH | 6.4 miles | £25.00 | |
| Hainault Golf Club | Public | IG7 4QW | 7.1 miles | £23.00 | |
| Castle Point Golf Course | Public | SS8 9FG | 35.6 Miles | £20.00 | |
| Woodford | Public | IG8 0ST | 2.6 miles | £20.00 | |
| Belhus Park Golf Club | Public | RM15 4PX | 19.2 miles | £18.00 | |
| Chingford Golf Course | Public | E4 7QJ | | £18.00 | £18.00 |
| Risebridge Golf Course | Public | RM1 4PR | 10.4 miles | £18.00 | |
| Trent Park Golf Club | Public | N14 4UW | 7.4 miles | £17.00 | |

| Course Name | Private or Public | Postcode | Distance from CGC | Highest Weekend Green Fee | Proposed increase |
|------------------------------|--------------------------|-----------------|--------------------------|----------------------------------|--------------------------|
| West Essex Golf Course | Private | E4 7QL | 1 mile | £55.00 | |
| Richmond Park Golf Club | Public | SW15 3SA | 26.3 miles | £40.00 | |
| Birchwood Park Golf Course | Public | DA2 7HJ | 18.4 miles | £38.00 | |
| Abbey Hill Golf Course | Public | MK8 8AA | 55 miles | £38.00 | |
| High Elsm Golf Course | Public | BR6 7JL | 19.3 miles | £38.00 | |
| Basildon Golf Course | Public | SS16 5JP | 29.2 miles | £32.00 | |
| Stevenage Golf Course | Public | SG2 7EL | 23.1 miles | £30.00 | |
| Hainault Golf Club | Public | IG7 4QW | 7.1 miles | £30.00 | |
| Theydon Bois Golf Club | Private | CM16 4EH | 6.4 miles | £29.50 | |
| Cheshunt Park Golf Centre | Public | EN7 6QD | 8.9 miles | £27.00 | |
| Trent Park Golf Club | Public | N14 4UW | 7.4 miles | £27.00 | |
| Risebridge Golf Course | Public | RM1 4PR | 10.4 miles | £26.00 | |
| Chingford Golf Course | Public | E4 7QJ | | £25.00 | £26.00 |
| Castle Point Golf Course | Public | SS8 9FG | 35.6 Miles | £25.00 | |
| Woodford | Public | IG8 0ST | 2.6 miles | £23.00 | |
| Belhus Park Golf Club | Public | RM15 4PX | 19.2 miles | £22.00 | |

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Price comparison to other sites

| Wanstead Flats Playing Fields Current Pricing | | London Playing Fields | | | | | | Hackney | London Borough of Barking & Dagenham | London Borough of Redbridge | Waltham Forest Grade A Pitch | Tower Hamlets (Non-Borough Team Price) | Wanstead Flats Playing Fields proposed fees for 2022/23 |
|--|------------------|-----------------------|--------------|-------------|----------------|-----------|----------------|---------|--------------------------------------|-----------------------------|------------------------------|--|---|
| | | Boston Manor | Douglas Eyre | Fairlop Oak | LMPF Redbridge | Peter May | LMPF Greenford | | | | | | |
| Saturday Casual Booking | £79.00 | £113.00 | £142.00 | £142.00 | £142.00 | £142.00 | £138.00 | £144.00 | £158.00 | £115.00 | £115.00 | £92.00 | £83.00 |
| Saturday Half Season Booking | £678.00 | £1,114.00 | £1,320.00 | £1,320.00 | £1,320.00 | £1,320.00 | £1,282.00 | | £1,906.00 | £861.00 | £846.00 | | £711.00 |
| Saturday Season Booking | 14 Games | 14 games | 14 games | 14 games | 14 games | 14 games | 14 games | | | Alternate Weeks | | | 14 Games |
| | £1,356.00 | £2,154.00 | £2,603.00 | £2,603.00 | £2,603.00 | £2,603.00 | £2,527.00 | | £3,812.00 | £1,760.00 | £1,690.00 | | £1,422.00 |
| Sunday Casual Booking | £96.00 | 28 weeks | 28 weeks | 28 weeks | 28 weeks | 28 weeks | 28 weeks | | Every Week | | | | 28 Games |
| | £965.00 | £119.00 | £142.00 | £142.00 | £142.00 | £142.00 | £138.00 | £144.00 | £158.00 | £115.00 | £115.00 | £92.00 | £101.00 |
| Sunday Half Season Booking | 14 Games | £1,114.00 | £1,320.00 | £1,320.00 | £1,320.00 | £1,320.00 | £1,282.00 | | £1,906.00 | £929.00 | £973.00 | | £1,012.00 |
| | £1,930.00 | 14 games | 14 games | 14 games | 14 games | 14 games | 14 games | | | Alternate Weeks | | | 14 Games |
| Sunday Season Booking | 28 Games | £2,154.00 | £2,603.00 | £2,603.00 | £2,603.00 | £2,603.00 | £2,527.00 | | £3,812.00 | £1,881.00 | £1,947.00 | | £2,024.00 |
| | | 28 weeks | 28 weeks | 28 weeks | 28 weeks | 28 weeks | 28 weeks | | Every Week | | | | 28 Games |

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Agenda Item 9

| | |
|---|----------------------------|
| Committee(s) Epping Forest and Commons | Dated 17/01/2022 |
| Subject: Sir Roger Gifford Memorial Project, Epping Forest (SEF 05/22) | Public |
| Which outcomes in the City Corporation's Corporate Plan does this proposal aim to impact directly? | 2/3/4/11/12 |
| Does this proposal require extra revenue and/or capital spending? | y |
| If so, how much? | £7,500 |
| What is the source of Funding? | 100% Grant aid |
| Has this Funding Source been agreed with the Chamberlain's Department? | no |
| Report of: Juliemma McLoughlin, Executive Director Environment, | For Decision |
| Report author: Geoff Sinclair, Head of Operations | |

Summary

This report is necessary to seek your Committee's approval for a celebratory memorial to the life and work of Sir Roger Gifford, 685th Lord Mayor of London, which has been developed in association with Lady Clare Gifford and planned for spring 2022. Site improvements to Gifford Wood are proposed along with a celebratory tree planting and tea to which the Lord Mayor's full party, with consorts, would be invited. A schools environmental education day is planned for the City of London Primary Schools in 2022 as part of the celebration proposals by the City of London's Education Unit and the Open Spaces Learning Team.

In line with Sir Roger's wishes, expressed during visits to Gifford Wood, it is proposed that the lower meadow on Horseshoe Hill is named Lord Mayor's Bottom.

Recommendation(s)

Epping Forest and Commons Committee Members are asked to:

- To support the hosting of the celebratory memorial event in honour of Sir Roger Gifford along with the naming of the lower meadow as Lord Mayor's Bottom.

Main Report

Background

1. The late Sir Roger Gifford was the 685th Lord Mayor of London from 2012 to 2013. As one of his chosen charities for the Lord Mayor's Appeal during his time of office Epping Forest was given the funds for the establishment of a new 2.063 hectares (5.1 acres) woodland on newly acquired Forest land at Horseshoe Hill, Upshire.
2. With significant support from the Friends of Epping Forest (now the Epping Forest Heritage Trust) and many local volunteers and school children the new woodland, Gifford Wood, was planted over the winter of the 2013/14. The woodland has thrived and is growing vigorously.
3. A 1.2 mile (2 kilometre) waymarked trail, The Gifford Wood Trail, was installed at this time. The trail took walkers through Gifford Wood and the Buffer lands of Oxleys and Potkiln woods. New bridges and entrances along the trail were installed by volunteers from visiting Scout troops.
4. To recognise the life and work of Sir Roger Gifford, who died on the 25 May 2021, Epping Forest will be hosting a celebratory memorial to Sir Roger. Working with Lady Clare Gifford a celebration proposal for 2022 (Appendix One) has been developed and comprises:
 - a. *Site improvements to Gifford Wood.* These would be focussed on informing visitors about Epping Forest and the wildlife to be found and encouraging people to explore Gifford Wood and the wider Epping Forest.
 - b. *Celebration event.* A ceremonial tree planting undertaken with invited guests, including a short walk around Gifford Wood followed by tea in the local pub or village hall. We will have some long horn cattle on site as an added attraction.
 - c. *Schools' environmental education day.* The aim will be to bring as many children as possible from the City of London Primary Schools (there are seven of these, if we also include the preparatory sections in our independent schools) for an environmental day to Epping Forest in the summer term. We would have cattle on site for this event.
5. The school's environment day would be coordinated through a partnership of the City of London's Education Unit and the Open Spaces Learning Team. Site improvements and celebration event would be led by the Epping Forest team.
6. In addition to friends and family of Lady Clare it is proposed that the full Lord Mayor's party plus consorts, Open Spaces and Epping Forest Committees and Alderman that knew Roger are invited to the celebratory event
7. This report updates your committee on the progress of this work and makes a request to name a meadow in Gifford Wood as Lord Mayor's Bottom, which was the name Sir Roger used when referring to it and was a request to Epping Forest staff from him when he was alive to see it changed to this.

Proposals

8. Option One: To support the hosting of the celebratory memorial event to Sir Roger Gifford along with the naming of the lower meadow as Lord Mayor's Bottom. **Recommended**
9. Option Two: To support the hosting of the celebratory memorial event to Sir Roger Gifford without renaming the meadow as Lord Mayor's Bottom. **Not recommended**

Resource Implications

10. The project costs are estimated to be £7,500 (Appendix One). and would be met through a donation from Sir Roger's memorial fund.
11. The hosting of the celebration tea will be funded by the City Corporation.

Legal Implications

12. The naming of the lower field as Lord Mayor's Bottom would comprise the inclusion of the name on an orientation (finger) post on the meadow. There is no proposal at present to seek a formal name change on maps.

Equalities Implications

13. The works are designed to encourage wider use of the Gifford Wood and to encourage visitors to explore Epping Forest and it is considered that there are positive impacts for local children and protected equality groups.

Charity Implications

14. Epping Forest is a registered charity (number 232990). Charity Law obliges Members to ensure that the decisions they take in relation to the Charity must be taken in the best interests of the Charity.

Climate Implications

15. None.

Conclusion

16. A celebratory memorial is planned at Gifford Wood for Sir Roger Gifford and has been developed in association with Lady Clare Gifford to recognise the former Lord Mayor's key role in developing this important extension of Epping Forest.
17. The memorial will include site improvements to encourage access, a celebration tree planting and a tea hosted by the City Corporation and attended by the Lord Mayor's full party including consorts.

18. The City of London's Education Unit are planning a schools education action day based at Gifford Wood for the spring/early summer 2021.

Appendices

Appendix One: Sir Roger Gifford Memorial Proposal

Background Papers

- Epping Forest Woodland Planting Appeal SEF 28/12 Report to the Epping Forest and Commons, 10 September 2012

Report author

Geoff Sinclair

Head of Operations Environment Department, Epping Forest

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SIR ROGER GIFFORD MEMORIAL PROPOSAL

Background

It is proposed that we undertake three proposed activities at Epping Forest as part of the celebration of Sir Roger Gifford's life and work.

Site improvements to Gifford Wood. These would be focussed on informing visitors about Epping Forest and the wildlife to be found and encouraging people to explore Gifford Wood and the wider Epping Forest.

Celebration event: A ceremonial tree planting undertaken with invited guests, including the full Lord Mayors party plus consorts, the Open Spaces and Epping Forest Committees plus Alderman that knew Sir Roger well. The event would include a short walk around Gifford Wood followed by tea in the local pub or village hall. We will have some long horn cattle on site as an added attraction.

Schools environmental education day: The aim will be to bring as many children as possible from the City of London Primary Schools (there are seven of these, if we also include the prep sections in our independent schools) for an environmental day to Epping Forest in the summer term. We would have cattle on site for this event.

The schools environment day would be coordinated through a partnership of the City of London's Education Unit and the Open Spaces Learning Team. Site improvements and celebration event would be led by the Epping Forest team.

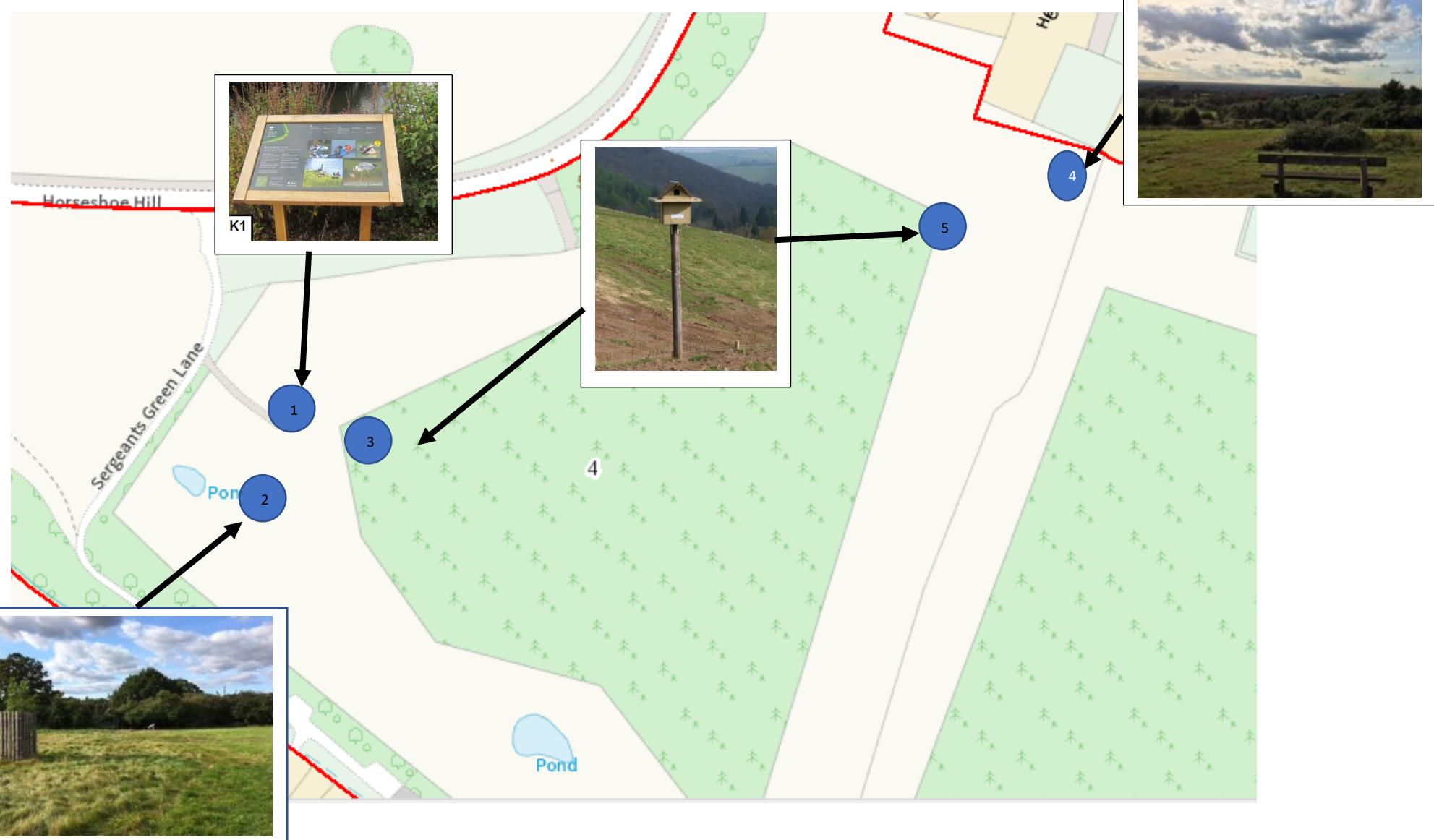
Detailed activities and costs

Site improvement program (See also maps 1 and 2)

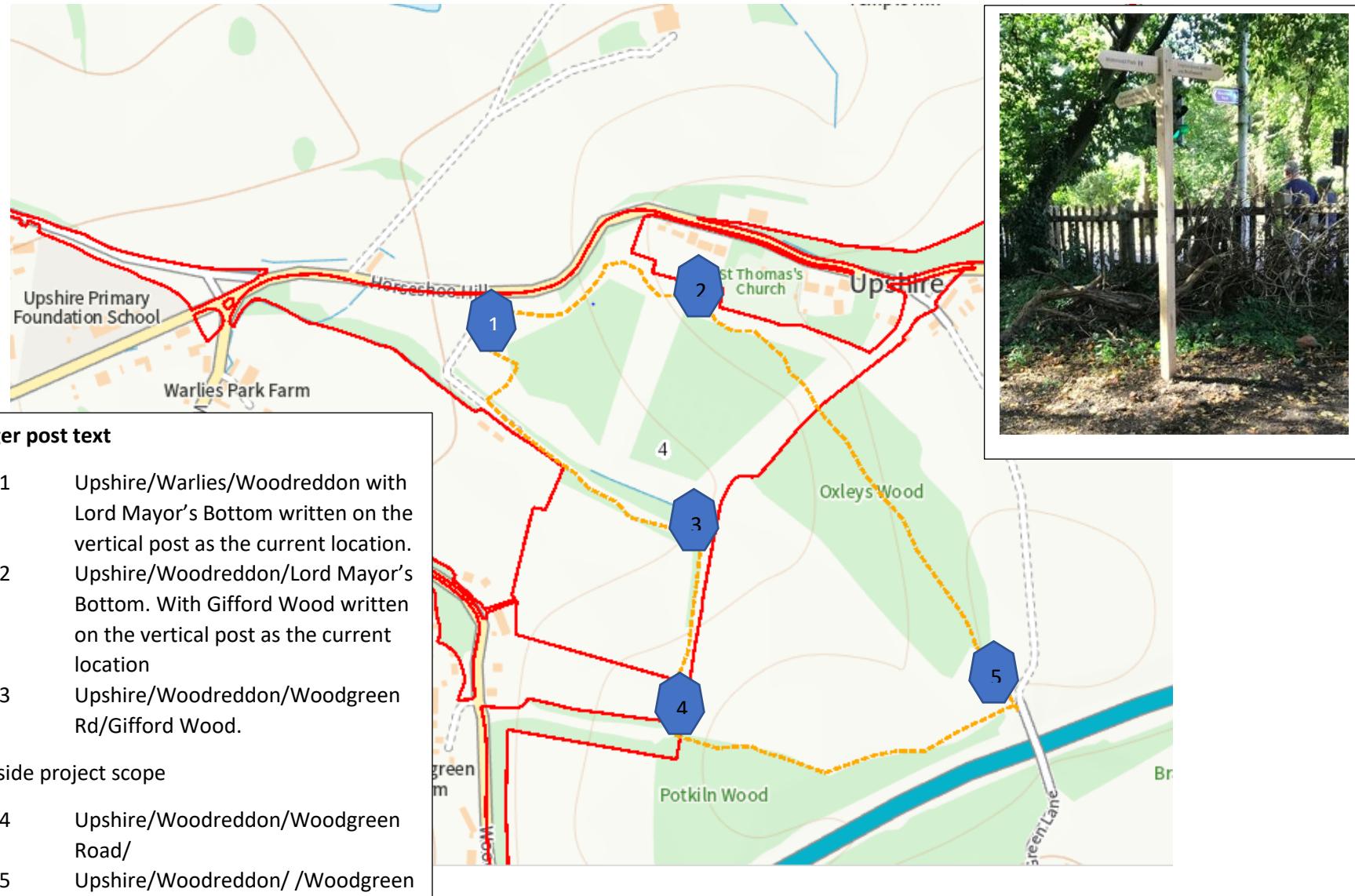
| ITEM | DETAILS | COST ITEM | COST |
|---------------------------|--|---|--------|
| Barn Owl box | Installation of two barn owl boxes on poles. As well as encouraging the nesting of barn owls they also act as a very visual wildlife reference with the exciting prospect of owls nesting. Item 3 and 5 on map 1 | Two telegraph posts @£200 each = £400 Two sheets of marine ply at £85 each= £170 Fixings and installation =£100 | £670 |
| Information board | Information board installed that highlights the wildlife interest of Gifford Wood, the opportunity to explore further and involvement of Sir Roger Gifford. Item 1 on Map 1. | Timber frame for the board @ £2000 Design and production of the information panel @ £2000 <i>(At least three-month lead in time for this)</i> | £4,000 |
| Bench | A new bench with backrest and arms installed at a viewpoint looking out over rural Essex and the Lee Valley. Item 4 in the blue circle on map 1 | Bench supply, Plaque/Routing inscription, Installation | £1,375 |
| Finger posts | Erecting five finger posts to highlight nearby destinations and to provide reassurance to visitors looking to explore the Forest. This will also provide the opportunity to use the name 'Lord Mayors Bottom' on the directional signs | Purchase and install five no. three-finger posts with "Lord Mayors Bottom " on the vertical post of one. 3 @ £450 each. <i>(Circa 3 month lead in time on these)</i> | £1,350 |
| Celebration Tree planting | 6' Standard oak tree with timber guard. Planted to form part of wide spaced oak grove on the edge of 'Lord Mayors Bottom' . | Supply of tree, mulch and timber guard @ £150 Supply of plaque @ £150 | £300 |
| Celebration Tea reception | COL to provide the reception tea and venue booking | | NA |

Map 1: Gifford Wood proposed site improvement locations

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Map Two: Proposed Finger posts locations



Celebration Event: Outline event schedule (*Provisional*)

| ACTIVITY | DETAILS | TIMING |
|---|--|--------|
| Arrival/Reception | Start point Upshire Village Hall with a reception in the pub/village hall. <ul style="list-style-type: none"> • Welcome and outline of the event eg by EF&CC Chairman? • Car Park at village hall | |
| Walk to new bench | Welcome and introduction to Gifford Wood eg by the Superintendent? <ul style="list-style-type: none"> • Unveiling of the new bench • Finger post/Barn owl box also nearby. • 75m walk with a road crossing. | |
| Walk to Lord Mayor's Bottom | Ceremonial planting of an oak tree on Lord Mayor's Bottom. <ul style="list-style-type: none"> • Presentations/photo opportunity as advised. • New information board/Barn Owl box also at the location • 300m walk down a moderately steep hill on rough cut grass | |
| Walk to celebration tea via Lord Mayor's Bottom | Walk along Lord Mayor's Bottom and up the hill to the village hall/pub. Long Horn Cattle would be grazing on Lord Mayor's Bottom. 500m walk including going up a moderate steep hill on rough cut path | |
| Celebration tea and presentations | Upshire Village Hall is proposed as the venue. <ul style="list-style-type: none"> • What is envisaged regarding presentations also do we have a rough guestimate of numbers for this | |

Event considerations

Less abled access: Epping Forest can organise 4wd vehicles for those that require it.

Health and Safety: Road crossing to be managed.

Speakers: Who do we envisage doing the speaking/presentations

Schools environmental education day

This event has still to be worked out. A query to follow up on with the Community and Children Services team is the possibility of an education pack/resource that could be used on the day but which would then be available for other schools to use on future visits.

Next steps

Event date agreed

- Provisional dates in Apr/May identified. (Lady Clare/Caroline Haines)
- Venue availability confirmed and provisionally booked (GS)
- Liaison as required for key attendees. (GS/Caroline Haines)
- What is envisaged regarding presentations?
- Event Date confirmed

Budget Agreed

- Final budget confirmed (Lady Clare)

Education event

- Event vision and outline plan confirmed (GS with EA and events coordinator Vasima Patel)

Materials Ordered

- Materials agreed and ordered (Circa 3-month lead time for these) (Lady Clare/GS)

Information Board

- Draft information board prepared (EF Visitor Services team)
- Timber frame ordered (GS)

Geoff Sinclair (13 December 2021)

Agenda Item 10

| Committee(s) | Dated: |
|---|--|
| Epping Forest and Commons Epping Forest Consultative | 17/01/2022 9/02/2022 |
| Subject: Large Event Application (SEF 06/22a) | Public |
| Which outcomes in the City Corporation's Corporate Plan does this proposal aim to impact directly? | 2, 10, 12. |
| Does this proposal require extra revenue and/or capital spending? | No |
| If so, how much? | |
| What is the source of Funding? | |
| Has this Funding Source been agreed with the Chamberlain's Department? | |
| Report of: Juliemma McLoughlin –Environment Department | EF&CC - For Decision EFCC – For Comment |
| Report author: Jacqueline Eggleston – Head of Visitor Services – Epping Forest | |

Summary

This report is necessary to consider an application for a weekend music event on Chingford Plain for a capacity ticketed attendance of up to 9,999 people per day. Under the Open Spaces Events Policy, events of this size may require committee approval.

The event is proposed to take place over a single weekend in September 2022. The event is a concert with 80's headline pop/soul acts and tribute bands and would be subject to full public consultation; an Environmental Impact Assessment (EIA) and the granting of a premises licence and if necessary statutory consents which would all be funded by the event organiser. All licence income received from the event will be reinvested in the management of Epping Forest.

Recommendation(s)

Members are asked to:

- Approve in principle, the application for a large event, subject to:
 - (a) Prior consultation being undertaken by the applicant. Consideration of the consultation responses to be delegated to the Superintendent of Epping Forest (in consultation with the Chairman and Deputy Chairman of the Epping Forest and Commons Committee) and the license for the event to be issued only if, after such consideration, the Superintendent of Epping Forest (in consultation with the Chairman and Deputy Chairman of the Epping Forest and Commons Committee) is satisfied that the consultation responses do not

- disclose any matters which in his opinion should lead to the license being withheld.
- (b) The provision of an environmental impact assessment by the applicant. Consideration of the environmental impact assessment to be delegated to the Superintendent (in consultation with the Chairman and Deputy Chairman of the Epping Forest and Commons Committee) and the license to be issued only if, after such consideration, the Superintendent of Epping Forest (in consultation with the Chairman and Deputy Chairman of the Epping Forest and Commons Committee) is satisfied that the event will not cause material injury to the amenity of Epping Forest or significant impairment to the public enjoyment of Epping Forest
 - (c) The terms and conditions of any license ensuring that the event will not cause material injury to the amenity of Epping Forest or significant impairment to the public enjoyment of Epping Forest. The terms and conditions to be delegated to the Superintendent (in consultation with the Chairman and Deputy Chairman of the Epping Forest and Commons Committee)
 - (d) the granting of the Premises Licence by the London Borough of Waltham Forest

Main Report

Background

1. Large events and gatherings have always been a part of the recreational activity taking place in Epping Forest. In the 1800s crowds of 200,000 were reported to have gathered on May Day at Chingford Plain.
2. Today events that take place are fully assessed to ensure that they are safe and that there is no damage to the protected areas of the Forest.
3. To provide guidelines and consistency as to what events are permitted and how they must be managed the Open Spaces Events Policy Part 1&2 was approved at your Committee of 14 May 2018.
4. The policy provides a framework for the approval of the type and scale of events that would be permitted across the Open Spaces. Whilst most events and activities are assessed and approved by an officer group, within the policy provision is made that large events (5001+) or more complex events would come to your committee for approval: The statutory criteria for permitting events are set out under Legal Implications and include requirements that the event must not cause material injury to the amenity of Epping Forest or significant impairment to the public enjoyment of Epping Forest
In some cases, such as when events are very large the application will be referred to the Epping Forest and Commons Committee.
5. In 2019, your committee approved in principle a major event (audience 30,000) but the event organiser later withdrew after undertaking more detailed feasibility studies.

6. At your committee of 10 March 2020, an approach was approved to advertise for larger events and invite tenders. This was conducted in the summer of 2021 once the majority of pandemic restrictions had been lifted.
7. However, there was very small interest from this process, and nothing was presented that was deemed viable. It is assumed that the industry is behaving in a very cautious manner at present.

Current Position

8. A direct approach for a large event was made to officers from a local business enterprise. Initial discussions and scoping exercises have taken place with officers and an application has now been submitted for the event.
9. Officers have carried out an initial assessment of the application and the initial requirements for the event have been met. Although it is not possible to confirm at this stage that the statutory criteria for allowing an event are met and that the license should be granted, the initial assessment indicates that potentially (subject to appropriate conditions), the adverse impacts could be acceptably managed such that the event may be permitted. However, this will not be definitively known until the environmental impact assessment has been evaluated and all other relevant considerations have been taken into account. Because this is a large event and the first one of this scale for some time in Epping Forest, it is being presented to your committee to agree in principle to the event, subject to the more detailed evaluation demonstrating that the impacts are acceptable, and the statutory criteria are met. It is proposed that this evaluation be undertaken by the Superintendent under delegated authority in consultation with the Chairman and Deputy Chairman. If the more detailed evaluation indicated the license should not be granted, then it would be withheld. However, unless approval in principle is agreed at this stage, the organiser is unlikely to proceed with the necessary environmental impact and other assessments, given the investment required to undertake these.
10. The organiser will make an application to the London Borough of Waltham Forest (LBWF) for a premises licence for the event. The LBWF Safety Advisory Group (SAG) will scrutinise all the health and safety and emergency plans before making their recommendation for a licence.
11. For the events the organiser will undertake comprehensive event planning all of which will be scrutinised by local authority licencing officers in LBWF along with the Metropolitan Police Services and London Fire Brigade and other relevant expert officers such as TFL before the event can be licensed. Event plans include:
 - Event Safety Management Plan
 - Noise Management Plan
 - Crowd Management Plan
 - Traffic and Travel Management Plan
 - Crime Management Plan
 - Waste and Sustainability Plan

Proposals

Line Up

12. The application is for a two-day event to take place in September 2022. This date provides sufficient lead in time for the organisation and licensing process, it avoids nesting season and the ground conditions should be much drier than earlier in the year.
13. The proposal is for a concert to be held over two days with gates opening on Saturday at 11.30am and closing at 10pm. Catering units will sell from midday with background music playing. The concert will commence at 2pm and will feature a 'mature' (70's/80's) pop headline band along with a selection of tribute bands from the same era.
14. The Sunday line up will have the same format with headline band and tribute acts based on soul music.
15. There will be a family friendly emphasis to the Saturday event with children's activities.
16. The event will require a build up and breakdown period so will be on site for around 8- 10 days in total

Location (see map at Appendix 1)

17. The event will take place on Chingford Plain within the area defined for the preliminary ecological appraisal undertaken in 2019. Dedicated car parking will be on the Bury Road car parks (and overflow) with the 'golf club' car park retained for general public access.
18. A travel plan will be produced to manage traffic flow, encourage active travel; attendance by public transport use and create further off-site park and ride facilities. The production of the travel plan will be a requirement of the SAG.



Local Engagement .

19. The event organisers are committed to holding a minimum of two local engagement surgeries to discuss resident/ user concerns, the first being held this month or early in February so that feedback can be built into the planning. They will also have a dedicated website and phone number for the event that will be in operation in the lead up to and during the event.

Noise

20. There will be an acoustic study carried out to ensure noise does not cause material injury to the amenity of the open space or significant impairment to its enjoyment. Any license issued by the Conservators would include conditions imposing noise limits. . The LBWF Environmental Health team will also review the acoustic study and monitor the event to ensure that noise limits are adhered to. At present the plan will be to face the stage away from the residential areas.

Environment and Amenity

21. The event is being planned to minimise the impact to non-event visitors with regular walking routes across the site kept open. The Bury Road overflow car park will be dedicated to the event with the main Bury Road car park open to both the general public and event visitors and the golf car park available for golfers and non-event visitors. The Event fee levied to the organisers includes a charge to compensate the charity for 'loss of amenity'.
22. The licence conditions imposed by the Conservators would require the organisers to reinstate the grassed area, car parks etc to their pre-event condition and an additional damage deposit will be taken to cover the potential need for reinstatement costs if this is not achieved.
23. It is likely that bare patches of earth will be apparent across parts of the event area and that these will remain for a period of around 8 Weeks whilst re-seeding takes effect. There may be a need to erect temporary fencing around more prominent patches. This will need to be communicated as part of the event communications.
24. A full environmental impact assessment (of which the acoustic study would form a part) will need to be carried out and evaluated as a pre-requisite for any license to be granted, and the license would only be granted if the assessed impacts were considered acceptable. Any license would be subject to conditions imposing such limitations, requirements and restrictions as were considered necessary to mitigate impacts and ensure the statutory criteria for permitting an event were met

Options

25. Your committee can consider two options:

Option 1.

To agree in principle to the proposals for a large-scale concert event with an audience up to 9,999 per day to take place on Chingford Plain over one weekend in September 2022 and subject to the necessary detailed evaluation of impacts and consents from the London Borough of Waltham Forest. The September date for the event will help to mitigate against ground damage and environmental impacts. The events policy allows for this type of event and further approval for the safety and organisation of the event are required from LBWF before the licence from the Conservators would be issued

The income generated from the event will be reinvested into the management of the Forest. **This option is recommended**

Option 2.

Do not approve the proposed event. Income will not be achieved that could be used to reinvest in the management of the Forest and to meet savings and income targets. . **This option is not recommended**

Key Data

N/A

Corporate & Strategic Implications

City of London Corporate Plan 2018-2023

26. This report helps achieve three Corporate Plan aims:

Contribute to a flourishing society.

- People enjoy good health and wellbeing
- Communities are cohesive and have the facilities they need

To support a thriving economy

- We are a global hub for innovation in finance and professional services, commerce and culture.

Shape outstanding environments

- We inspire enterprise, excellence, creativity and collaboration

Open Spaces Department Business Plan 2020-21

27. It will also deliver the Open Spaces Departmental Business Plan top line objectives:

- A. Open spaces and historic sites are thriving and accessible.
- B. Spaces enrich people's lives.
- C. Business practices are responsible and sustainable.

Financial implications

28. The financial consideration for this event is reported later on your agenda under the non-public agenda. The fee is based on the scheme of charges outlined in the Events Policy but is intended to be increased on the basis of a percentage income in future years should the event be continued. All licence income received from the event will be reinvested in the management of Epping Forest.

Resource implications

29. The cost of Epping Forest staff time incurred in enabling the event to go ahead has been added to the fee levied to the organisers.

Legal implications

30. Under section 7 of the City of London Corporation (Open Spaces) Act 2018 the Conservators may temporarily use or permit others to use Forest land for the purposes of an event; provide, or arrange for another person to provide, equipment, facilities or services for the event; so far as necessary restrict, or authorise others to restrict, access to an area of Forest land temporarily in connection with the event; and charge for such permission or provision, or charge or authorise others to charge for admission to the event.
31. The above powers must be exercised having regard to the approved Events Policy. Under the Events Policy, in deciding whether, and on what terms, to permit an event, the Conservators must have regard to the character and local environment of the Forest (or the part of the Forest in which the event is to take place, in this case Chingford Plain). The Events Policy (and statute) also contain provision that the event does not cause material injury to the amenity of the open space or significant impairment to the public enjoyment of the open space. The general duties of the Conservators to preserve Epping Forest as an unenclosed public open space and as far as possible to preserve its natural aspect also still apply, subject to the above provisions. Any decision taken must be in the best interests of the Epping Forest charity.
32. Consent may be needed under Section 28E of the Wildlife and Countryside Act 1981 and the Conservation of Habitats and Species Regulations 2017.

Risk implications

33. There is reputational risk of the event not being financially sound, not taking place or not meeting expectations. Due diligence checks have been undertaken on the directors of the company to ensure there are no irregularities and regular checks and correspondence with officers will help to reassure that the event is progressing in the correct way. Loss of amenity presents a reputational risk, and this is being factored into site plans to minimise this as far as possible. Conditions will be imposed to mitigate impacts. Compliance with conditions would need to be monitored during the event and measures taken to secure compliance or cessation of the event should persistent breach occur
34. The event organisers will hold public surgeries to engage local residents and stakeholders, including Forest users, about the proposed event to answer queries

and build solutions for concerns into the planning process. A communications plan will also be drawn up between the event organisers and the City of London to provide clear information and response to the public and media.

35. The COL Events Policy and LBWF licencing legislation provides a clear requirement for event managers to engage with the appropriate legislative and licensing regimes to demonstrate events would be run safely and professionally before licencing of the event is approved.

Equalities implications

36. The Events Policy requires event organisers to provide an Equality Policy. An equalities impact assessment will be undertaken for the event and any areas for improvement addressed prior to the event.

Climate implications

37. An environmental impact assessment will be undertaken that is bespoke to this event and will set parameters and mitigation for the protection of Forest land and the surrounding SAC. The Conservators will need to be satisfied that these mitigation measures are sufficient to prevent material injury to the amenity of the open space before the licence will be issued.
38. A waste management plan will ensure that all waste is recycled and disposed of correctly and high standards for the use of reusable materials will be incorporated into the event plan

Security implications

39. The event emergency plan will include pre- event planning to cover security threats in advance of the event as well as during. This will be scrutinised and agreed through the Safety Advisory Group.

Charity implications

40. Epping Forest is a registered charity (number 232990). Charity Law obliges Members to ensure that the decisions they take in relation to the Charity must be taken in the best interests of the Charity. It may be seen then that the best interests of the charity are met by raising income to invest in the management of the Forest, provided the provisions in the Open Spaces Act 2018 are met.

Property

41. If events are to be permitted on the Forest, they should be governed by suitable licence terms to ensure that COL is suitably indemnified and that consent to use represents best value according to the charitable operating requirements.

Conclusion

42. The proposed event is potentially acceptable under the Open Spaces Events Policy parts one and two. Initial checks have been undertaken on the organisers and company and are satisfactory and additional due diligence will be undertaken before signing of contracts. Detailed evaluation of impacts would be carried out prior to any decision to grant a license, and the license would not proceed unless the impacts were considered acceptable, and the statutory criteria were met

All necessary checks and procedures would be put in place to manage public concerns and any impact on the Forest from the event. The income generated from the event will be additional funding that can be invested into the management of the Forest.

Appendices

Appendix 1 Location Map p34 Ecological Assessment

Background papers

Epping Forest Events Policy (SEF 16/18) EF&CC 14 May 2018
Epping Forest Events Tender (SEF 06/20) EF&CC 10 March 2020

Report author

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**CHINGFORD PLAIN,
EPPING FOREST**

PRELIMINARY ECOLOGICAL APPRAISAL

Draft Document
September 2019

Preliminary Ecological Appraisals • Protected Species Surveys and Licensing • NVC • EcIA • HRA • Management Plans
Habitats • Badger • Bats • Hazel Dormouse • Birds • Reptiles • Amphibians • Invertebrates • Riparian and Aquatic Species

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Tel: 02380 261065 Email: info@ecosa.co.uk Web: www.ecosa.co.uk

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Ecological Survey & Assessment Limited is a Trinity Consultants Company

ECOSA Quality Assurance Record

The Preliminary Ecological Appraisal has been undertaken with reference to the Chartered Institute of Ecology and Environmental Management (CIEEM) Guidelines for Preliminary Ecological Appraisal (CIEEM, 2017). This report has been produced in accordance with the CIEEM Guidelines for Ecological Report Writing 2017 (CIEEM, 2017). The survey work has been undertaken in line with references within CIEEM's Source of Survey Guidance (CIEEM, 2017).

| | |
|------------------------------|---|
| Description: | Preliminary Ecological Appraisal |
| Produced For: | City of London Corporation as Conservators of Epping Forest |
| Issue: | Draft |
| Report Reference: | 4879-2.D0 |
| Date of Issue: | 30 th September 2019 |
| Date of Survey Works: | 19 th June 2019 |
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**CHINGFORD PLAIN,
EPPING FOREST**

PRELIMINARY ECOLOGICAL APPRAISAL

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EXECUTIVE SUMMARY

Ecological Survey and Assessment Ltd (ECOSA) have been appointed by City of London Corporation as Conservators of Epping Forest to undertake a Preliminary Ecological Appraisal of Chingford Plain, Bury Road, Chingford, Epping Forest. The purpose of the appraisal is to assess the site's ecological baseline and identify constraints and opportunities associated with delivering large-scale concerts at the site in order to inform their decision process. The site is located in Chingford, Greater London and comprises part of a grassland field bounded by woodland to the north.

The main findings of the Preliminary Ecological Appraisal are:

- It is understood that the site is designated as a SINC although the full citation or boundary of the SINC was not available at the time of preparing this report. The site has been assessed as having suitability to support tree roosting bats, foraging and commuting bats, badger, breeding birds, wintering birds, widespread species of reptile, great crested newt, European hedgehog and common toad. In the absence of suitable mitigation in respect of the aforementioned species groups/species, these could present an ecological constraint to the proposed event.
- Mitigation recommendations include minimising visitors accessing to the wider SINC, the erection of Heras fencing (or similar) around the event boundary and maintaining a minimum buffer of 20 metres between the broadleaved woodland. Further consideration to the potential impact of the event on the SINC will be necessary once the citation for the SINC is available and further details for the event come forward.
- Recommendations have been made for a sensitive lighting scheme to minimise potential disturbance impacts on foraging and commuting bats. Further consideration will need to be given to bats and nesting birds once the noise levels of any future event are known in order to ensure the species groups will not be disturbed.
- If the site boundary changes or the proposals for the site alter, a re-assessment of the scheme in relation to ecology may be required. Given the mobility of animals and the potential for colonisation of the site over time, updating survey work may be required, particularly if the event does not commence within 18 months of the date of the most recent relevant survey.

1.0 INTRODUCTION

1.1 Background

Ecological Survey & Assessment Limited (ECOSA) have been appointed by City of London Corporation as Conservators of Epping Forest to undertake a Preliminary Ecological Appraisal to identify the ecological constraints and opportunities associated with delivering large-scale concerts at Chingford Plain, Bury Road, Chingford, Epping Forest (hereafter referred to as the site).

1.2 The Site

The site is located in Chingford, Greater London centred on National Grid Reference (NGR) TQ 3960 9511 (**Map 1**). The Phase 1 habitat map (**Map 2**) depicts the boundary of the site.

The site comprises a grassland field bounded by car parking and Bury Road to the west Epping Forest to the north and the remainder of the field to the east and south.

The wider area is dominated by an urbanised landscape associated with Greater London. Areas of open green space are located within proximity to the site include other parts of Epping Forest surrounding the site.

1.3 Aims and Scope of Report

The information within this report is based on a field survey and desktop study carried out during June and August 2019. The objectives of the appraisal are:

- To provide preliminary baseline information on the current habitats, the suitability of the site to support notable and protected species, and evidence of notable and protected species both on site and in the immediate vicinity of the site, where relevant;
- To identify the proximity of any statutory sites designated for nature conservation importance;
- To identify the likely ecological constraints associated with the proposals;
- To identify any mitigation measures likely to be required, following the ‘Mitigation Hierarchy’¹;
- To identify any additional surveys that may be required to inform an Ecological Impact Assessment (EIA); and

¹ In accordance with CIEEM Ecological Impact Assessment guidance (CIEEM, 2018) a sequential process is adopted to address impacts on features of ecological interest, with ‘Avoidance’ prioritised at the top of the hierarchy and ‘Compensation/Enhancement’ at the bottom. This is often referred to as the ‘mitigation hierarchy’.

-
- To identify the opportunities offered by the proposals to deliver ecological enhancement

1.4 Site Proposals

City of London Corporation as Conservators of Epping Forest have been approached by event organisers to hold concert style events with audiences in excess of 50,000 on land under their ownership. At the time of preparing this report, there are no detailed plans for the proposed events at the site, however, it is anticipated that this would be a daylong event with associated set up.

2.0 METHODS

2.1 Introduction

This section details the methods employed during the Preliminary Ecological Appraisal. Any significant limitations to the survey methods are also considered.

2.2 Zone of Influence

To define the total extent of the study area for this appraisal (Zone of Influence²), the proposed scheme was reviewed to establish the spatial scale at which ecological features could be affected. The appropriate survey radii for the various elements of the appraisal (i.e. desktop study and field survey) have been defined in the relevant sections below. These distances are determined based on the professional judgement of the ecologist leading the appraisal, taking into account the characteristics of the site subject to appraisal, its surroundings and the nature and scope of the proposals. Determination of the Zone of Influence is an iterative process and will be regularly reviewed and amended as the project evolves.

2.3 Scoping

Protected species considered within this appraisal are those species/species groups considered likely to be encountered given the geographical location and context of the site. These are discussed within the results section (Section 3.0) of the current report. Where such a species is unlikely to be present on site a justification for likely absence is provided. Species considered likely absent from the site are not then considered in the potential ecological constraints and mitigation measures section (Section 4.0) of this report.

2.4 Desk Study

A full biological record centre desktop study was not undertaken as part of this appraisal. However, City of London Corporation as Conservators of Epping Forest hold information relating to non-statutory designated sites and records of protected species within the vicinity of the site.

2.4.1 *City of London Corporation as Conservators of Epping Forest*

City of London Corporation as Conservators of Epping Forest provided data on 24th September 2019. The data supplied included common and widespread species but this appraisal focusses on records of legally protected and notable species (flora and fauna) within the local area, including Species of Principal Importance for the Conservation of diversity in England notified under Section 41 of the Natural Environment and Rural

² The Zone of Influence, as defined by CIEEM, is the area over which ecological features may be subject to significant effects as a result of the proposed project and associated activities.

Communities (NERC) Act 2006 and as listed in the England Biodiversity List (**Appendix 4**).

2.4.2 Multi-Agency Geographic Information for the Countryside

The Multi-Agency Geographic Information for the Countryside (MAGIC) database (DEFRA, 2019) was reviewed on 20th August 2019 to establish the location of statutory designated sites located within the vicinity of the site. This included a search for all internationally and nationally designated sites such as Special Protection Areas (SPAs), Special Areas of Conservation (SACs), Wetlands of International Importance (Ramsar sites), Sites of Special Scientific Interest (SSSIs), National Nature Reserves (NNRs) and Local Nature Reserves (LNRs) within one kilometre of the site. Where appropriate, the desk study search area has been extended to take account of any appropriate statutory designated sites which need consideration in terms of potential in-direct effects and which support particularly mobile species, particularly those specifically mentioned in local planning policy. The Impact Risk Zones (IRZ) were also obtained from MAGIC, which are used to help guide and assess planning applications for likely effects on SSSIs.

Sites within two kilometres of the site boundary where European Protected Species Mitigation (EPSM) licences have been granted were reviewed. This information allows a greater understanding of the potential for European protected species to be present in the local area.

2.4.3 Other Sources of Information

Online mapping resources, at an appropriate scale, were used to identify the presence of habitats such as woodland blocks, ponds, watercourses and hedgerows, in the vicinity of the site. These habitats may offer resources and connectivity between the site and suitable habitat in the local area, which may be exploited by local species populations.

The presence of ponds or other waterbodies within a 500 metre radius of the site in particular are noted in relation to great crested newt. The 500 metre radius is a standardised search radius to assist in the assessment of the suitability of a site and its surrounding habitat to support this species, based on current Natural England guidance (English Nature, 2001).

2.5 Field Survey

The field survey broadly followed standard Phase 1 habitat survey methodology (JNCC, 2010) and included a search for evidence of, and an assessment of the site's suitability to support, protected and notable species as recommended by CIEEM (CIEEM, 2017). The field survey covered all accessible areas of the site, including

boundary features Habitats described in Section 3.0, have been mapped (**Map 2**) and photographs provided, where relevant.

2.5.1 Phase 1 Habitat Survey

An assessment was made of all areas of vegetation within the site based on the standardised Phase 1 habitat survey methodology (JNCC, 2010) . This involved identification of broad vegetation types, which were then classified against Phase 1 habitat types, where appropriate. A list of characteristic plant species for each vegetation type was compiled and any invasive species³ encountered as an incidental result of the survey recorded.

2.5.2 Protected and Notable Species Appraisal

A preliminary appraisal of the site's suitability to support legally protected and notable species was carried out. The following species/species groups were considered during the appraisal.

Bats

The survey conformed to current Bat Conservation Trust guidelines (Collins, 2016). An assessment was made of the suitability of trees on the site and immediately on the site boundary to support roosting bats based on the presence of Potential Roosting Features such as holes, cracks, splits, loose bark and ivy cladding for trees.

An assessment was made of the suitability of the site and the surrounding landscape to support foraging and/or commuting bat species. The assessment of the suitability of the site to support roosting, foraging and commuting bats is based on a four-point scale as detailed in **Appendix 3**.

Otter

The otter appraisal was based on an assessment of the suitability of the habitat present within the site to support otter by reference to habitat type (such as rivers, streams, ditches, wetlands, reed beds, lakes, ponds and reservoirs), proximity of the site to freshwater and potential important feeding resources (such as fisheries), presence of habitat features which could provide opportunities for resting places and/or holts (such as tunnels, hollows at the base of trees and presence of dense, undisturbed habitat). During the survey attention was paid to the presence of evidence such as spraints, feeding remains, footprints and slides.

Badger

The survey involved an assessment of the suitability of the site to support badger. Evidence of the species was recorded as an incidental result of the Phase 1 habitat

³ Plant species included on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended). The survey was not specifically aimed at assessing the presence of these species and further specialist advice may need to be sought.

survey and included locating badger setts, paths, and signs of territorial activity such as latrine sites.

Hazel Dormouse

The appraisal for the suitability of the site to support hazel dormouse was based on an assessment of habitat features that may indicate that the species is present. This includes the presence of key food sources such as hazel and bramble, or plants used as nesting material such as honeysuckle and clematis. Additionally, the species requires a continuum of food supply so that habitat structure, diversity and connectivity to adjacent areas of woodland/scrub are important features in determining the suitability of the site for hazel dormouse.

Water Vole

The water vole appraisal was based on an assessment of the suitability of the habitat present within the site to support water vole by reference to habitat type (such as rivers, streams, ditches, wetlands, reed beds, lakes, ponds and reservoirs), bank structure and the bank side vegetation. Water voles generally require sloping banks in which to burrow and well-developed bank side vegetation to provide shelter and food. During the survey attention was paid to the presence of burrows, latrines, feeding remains, trails and footprints.

Birds

The appraisal of breeding birds on the site was based on the suitability of habitat present to support nesting bird communities, the presence of bird species that may potentially nest within the available habitat and evidence of nesting such as old or currently active nests.

The assessment of wintering birds was based on an assessment of the suitability of the habitat on site to support important wintering bird species and populations. Particular attention was paid to the suitability for the site to support wintering farmland bird species, waders and wildfowl.

Reptiles

The reptile appraisal was based on an assessment of the suitability of the habitat present within the site to support a population of reptiles. Reptiles particularly favour scrub and rough grassland interfaces and the presence of these is a good indication that reptiles may be present on site. In addition, reptiles may utilise features such as bare ground for basking, tussocky grassland for shelter and compost heaps and rubble piles for breeding and/or hibernating.

Great Crested Newt

The appraisal of the site to support great crested newt included establishing the presence of suitable aquatic habitats such as ponds, lakes or other waterbodies within or adjacent to the site and the presence of suitable terrestrial habitat. Waterbodies that are densely shaded, highly eutrophic or that contain fish are likely to be less suitable for this species. The suitability of on-site ponds and terrestrial habitat is considered in relation to the presence of ponds within the wider area, as identified within the desktop study (Paragraph 2.4.3), and their suitability to be used as a network.

Invertebrates

An assessment was made of the suitability of the site to support diverse communities of invertebrates. The assessment was based on the presence of habitat features which may support important invertebrate communities. These features include, for example, an abundance of dead wood, the presence of diverse plant communities, varied woodland structure, sunny woodland edges with a diverse flora, waterbodies and water courses and areas of free draining soil exposures. During the field survey there was no attempt made to identify species present as this is a more specialist area of ecological assessment reserved for targeted surveys.

Other Relevant Species

An assessment was made of site suitability for other notable species such as more rarely encountered protected species, Species of Principal Importance for the Conservation of diversity in England notified under Section 41 of the NERC Act 2006 and as listed in the England Biodiversity List, and Local Biodiversity Action Plan (LBAP) species⁴, specific to the study region.

Invasive Species

During the field survey any incidental records of invasive species listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended) were recorded. However, it should be considered that the survey was not specifically aimed at assessing the presence of these species and further specialist advice may need to be sought.

2.6 Field Survey Details

The field survey was carried out by Richard Chilcott, Principal Ecologist of ECOSA on 19th June 2019. The weather conditions were humid and overcast with 100% cloud cover, an ambient temperature of 20°C and little to no wind.

During the survey, the surveyor was equipped with 10x40 binoculars and a digital camera.

⁴ LBAPs identify local priorities for biodiversity conservation by translating national targets for species into effective action at the local level and identifying targets for species important to the local area.

2.7 Limitations

Ecological surveys are limited by factors which affect the presence of plants and animals such as the time of year, migration patterns and behaviour. The field survey has therefore not produced a complete list of plants and animals and in the absence of evidence of any particular species should not be taken as conclusive proof that the species is absent or that it will not occur in the future.

Online mapping resources provide an indication of habitat features present in the wider area, but do not provide a detailed assessment of habitat types.

The desk study data originates from City of London Corporation as Conservators of Epping Forest. A more exhaustive desktop study was not undertaken at this stage. The data search results cannot be taken as an exhaustive list of species present in the area.

A large proportion of the desk study data is historic (in excess of ten years old) and, therefore, the purposes of this report only the most recent and relevant records have been referenced within this report.

At the time of preparing this report it is understood that the site forms part of a SINC, however, the full citation for the SINC has yet to be provided to ECOSA.

Given the large number of trees present along the site boundaries, it was not possible to fully inspect each tree for bat roosting suitability. Therefore, potential bat roosting features may be present which were not identified during the survey.

Not all potential bat roosting features are accessible to the surveyor, e.g. gaps beneath roof materials or holes or cracks in trees, and therefore assessments are based upon the potential for these features to provide suitable roosting opportunities.

3.0 BASELINE ECOLOGICAL CONDITIONS

3.1 Introduction

This section details the results of the Preliminary Ecological Appraisal undertaken for the site. It assesses the baseline ecological conditions of the site at the time the desktop study was completed and based on the ecological features recorded during the field survey.

3.2 Statutory and Non-statutory Designated Sites

3.2.1 *Statutory Designated Sites*

There are two statutory designated sites of nature conservation interest situated within one kilometre of the site boundary. These are:

- Epping Forest (SAC) – Located immediately north of the site at its nearest point and designated for supporting beech forests, northern Atlantic wet heaths, European dry heaths and stag beetle *Lucanus cervus*.
- Epping Forest (SSSI) – Located immediately north of the site at its nearest point and designated for supporting notable habitats, invertebrate assemblages and amphibians and breeding birds.

Further details of the statutory designations listed above are provided in **Appendix 1**.

3.2.2 *Non-Statutory Designated Sites*

It is understood from correspondence with Epping Forest that the site is also designated as a Site of Importance for Nature Conservation. However, the citation for the SINC was not available at the time of preparation of this report.

Further information on sites designated for nature conservation are provided in **Appendix 2**.

3.3 Habitats

3.3.1 *Desktop Study Results*

A review of the MAGIC website has identified the site as supporting the Habitat of Principal Importance wood-pasture and parkland. The MAGIC website also identified the presence of the Habitat of Principal Importance deciduous woodland immediately bounding the north of the site. Ancient semi-natural woodland was also identified as abutting the northern boundary of the site at its closest point.

No recent (within the last ten years) notable plant species have been recorded at the site based on the information provided by City of London Corporation as Conservators of Epping Forest.

3.3.2 Field Survey Results

Habitats within the site are shown on the Phase 1 Habitat Map (**Map 2**). Habitats are described in general terms using standard Phase 1 habitat survey terminology. The main habitats recorded on site during the Phase 1 habitat survey were as follows:

Semi-improved grassland

The site almost entirely comprises semi-improved grassland which comprises part of a larger field. The field was subject to light cattle grazing at the time of survey with mown paths and is tussocky in nature (**Figure 1**). Species recorded within this habitat include soft brome *Bromus hordeaceus*, perennial rye-grass *Lolium perenne*, common bent *Agrostis capillaris*, meadow foxtail *Alopecurus pratensis*, Yorkshire fog *Holcus lanatus*, crested dog's-tail *Cynosurus cristatus*, meadow grasses *Poa* species with herbaceous species including cut-leaved crane's-bill *Geranium dissectum*, ribwort plantain *Plantago lanceolata*, creeping buttercup *Ranunculus repens*, white clover *Trifolium repens*, greater plantain *Plantago major*, common sorrel *Rumex acetosa*, common mouse-ear *Cerastium fontanum*, creeping cinquefoil *Potentilla reptans*, bird's-foot trefoil *Lotus corniculatus*, common knapweed *Centaurea nigra*, meadow buttercup *Ranunculus acris* and red clover *Trifolium pratense*.



Figure 1: Semi-improved grassland within the site looking west



Figure 2: Rough grassland around car park

Areas of rough grassland are also present around the car park area to the west of the site (**Figure 2**). Species specifically recorded in this area include barren brome *Bromus sterilis*, false oat-grass *Arrhenatherum elatius*, cock's foot *Dactylis glomerata*, wall barley *Hordeum murinum* and soft brome with forb species typical of more unmanaged ground including cleavers *Galium aparine*, prickly sow thistle *Sonchus asper*, hedge

mustard *Sisymbrium officinale*, bush vetch *Vicia sepium*, hogweed *Heracleum sphondylium*, ribwort plantain and common nettle *Urtica dioica*.

Scattered Scrub

Areas of scrub are present around the margins of the car to the west of the site which area dominated by bramble *Rubus fruticosus* aggregate with occasional willow *Salix* species (**Figure 3**).



Figure 3: Areas of scrub and rough grassland present in the west of the site

Ruderal vegetation

An area of ruderal vegetation is present on the western boundary of the site adjacent to Bury Road (**Figure 4**). Species within this habitat are dominated by common nettle with broad-leaved dock *Rumex obtusifolius* and willowherb *Epilobium* species also present.



Figure 4: Area of ruderal vegetation adjacent to Bury Road

Other Habitats

Areas of hardstanding and bare earth are present in the west of the site associated with the areas of car parking.

An area of woodland forming Epping Forest is also present to the immediate north of the site. This was not fully surveyed as it lies outside of the site boundary however, forms mature broad-leaved woodland (**Figure 5**). Species recorded along the southern boundary of the woodland include pedunculate oak *Quercus robur*, hawthorn *Crataegus monogyna*, blackthorn *Prunus spinosa*, holly *Ilex aquifolium* and willow.



Figure 5: Woodland edge present off site to the north

3.3.3 Summary

The features of relatively greater interest in terms of the site are the broad-leaved woodland (situated offsite to the north) and semi-improved grassland. The site is not considered to be the Habitat of Principal Importance Parkland, as identified as part of the MAGIC search which could comprise scattered trees set over grassland.

3.4 Notable and Legally Protected Species

3.4.1 Bats

Desktop Study Results

A review of the MAGIC website identified a total of two granted EPSM licences in respect of bats within two kilometres of the site. A licence was granted in 2016 for the destruction of a maternity roost of soprano pipistrelle *Pipistrellus pygmaeus* with the second licence granted for the destruction of a resting place of common pipistrelle *Pipistrellus pipistrellus* in 2017.

Consultation with City of London Corporation as Conservators of Epping Forest produced records of common pipistrelle, soprano pipistrelle, Nathusius pipistrelle *Pipistrellus nathusii*, Daubenton's bat *Myotis daubentonii*, Leisler's bat *Nyctalus leisleri* and noctule *Nyctalus noctula* in 2007. These are all field and not roost records which indicates the presence of foraging and/or commuting bats. The exact location is unknown but were located approximately 250 metres south-east of the site.

Tree Assessment

No trees are present within the site itself. However, a number of trees are present along the site boundaries within the woodland to the north of the site. Whilst these were not assessed in detail as part of the survey it is highly likely that tree either along the boundary or within the wider woodland to the north support potential roost features.

Foraging and Commuting Habitat

The site provides good quality habitat for foraging and commuting bats associated with the woodland bounding the site and the tussocky semi-improved grassland across the site. This habitat is also connected to other high quality foraging and commuting habitat in the surrounds (specifically the extensive areas of Epping Forest) and therefore, the site is assessed as having high suitability for foraging and commuting bats.

3.4.2 Otter

Desktop Study Results

No granted EPSM licences in relation to otter *Lutra lutra* were identified within two kilometres of the site boundary. However, this does not confirm the absence of the species in the local area.

Consultation with City of London Corporation as Conservators of Epping Forest produced no records of otter within the local area, however, this does not confirm the absence of the species in the local area.

Field Survey Results

The site or immediately adjacent habitat does not support suitable habitat for resting otter or for holt creation. The habitat on site is unsuitable for otter and therefore the species is not considered further in this report.

3.4.3 Badger

Desktop Study Results

Consultation with City of London Corporation as Conservators of Epping Forest produced no records of badger *Meles meles*, however, this does not confirm the absence of the species in the local area.

Field Survey Results

No evidence of badger was recorded within the site during the survey undertaken. However, the site and the surrounds provide suitable foraging habitat for badger in the form of the semi-improved grassland and scrub present. The woodland forming the boundaries of the site also provides suitable opportunities for badger sett construction.

3.4.4 Hazel Dormouse

Desktop Study Results

No granted EPSM licence in respect of hazel dormouse *Muscardinus avellanarius* were identified on the MAGIC website within two kilometres of the site boundary.

Consultation with City of London Corporation as Conservators of Epping Forest produced no records of hazel dormouse, however, this does not confirm the absence of the species in the local area.

Field Survey Results

The site itself is unsuitable for supporting hazel dormouse, lacking any well connecting and diverse wooded vegetation which the species generally requires. However, the woodland present along the northern boundary does provide suitability for supporting the species and is well connected to other suitable habitat in the wider area. Notwithstanding this, at the time of writing no records of hazel dormouse had been identified and therefore, no further consideration has been given to this species in this report.

3.4.5 Water Vole

Desktop Study Results

Consultation with City of London Corporation as Conservators of Epping Forest produced no records of water vole *Arvicola amphibius* within the local area, however, this does not confirm the absence of the species in the local area.

Field Survey Results

The habitat within the site is unsuitable to support water vole without the presence of sloping banks adjacent to water in which to burrow and, therefore, the species is not considered further in this report.

3.4.6 Birds

Desktop Study Results

Consultation with City of London Corporation as Conservators of Epping Forest produced a large number of notable bird records within the site and surrounds. Records within the last ten years include meadow pipit *Anthus pratensis*, reed bunting *Emberiza schoeniclus*, redwing *Turdus iliacus*, swallow *Hirundo rustica*, bullfinch *Pyrrhula pyrrhula*, song thrush *Turdus philomelos*, skylark *Alauda arvensis*, linnet *Carduelis cannabina*, woodcock *Scolopax rusticola*, dunnock *Prunella modularis*, short eared owl *Asio flammeus*, whinchat *Saxicola rubetra*, fieldfare *Turdus pilaris* and swift *Apus apus*

Field Survey Results

Species recorded during the field survey undertaken include house sparrow, woodpigeon *Columba palumbus* and blackbird *Turdus merula*. The boundary vegetation is suitable for supporting nesting birds in the form of extensive woodland. The site is also suitable for supporting ground nesting birds such as skylark.

The site will also likely provide suitable habitat for supporting a variety of overwintering birds including fieldfare and redwing, as listed in the desktop study.

3.4.7 Reptiles

Desktop Study Results

A number of records of reptiles were returned by City of London Corporation as Conservators of Epping Forest the most recent of which was grass snake *Natrix helvetica* identified in 2012. Records of common lizard *Zootoca vivipara* and slow-worm *Anguis fragilis* were also returned in 2005 and 2006 respectively.

Field Survey Results

The site provides high quality habitat for supporting common reptile species with the tussocky grassland present providing the necessary shelter and foraging opportunities species require. The site is also well connected to suitable hibernation features including the woodland to the north and scrub present in the grassland field to the south and east. Given the presence of records return by Epping Forest it is assumed that a population of common lizard, slow-worm and grass snake would be present at the site.

3.4.8 Great Crested Newt

Desktop Study Results

A single licence granted for great crested newt *Triturus cristatus* was identified by MAGIC approximately 1.6 kilometres to the west of the site in 2011. The record did not clearly establish whether the licence was for damage or destruction to a breeding site or resting place.

A review of online aerial photography and 1:25,000 OS mapping identified the presence of four ponds within 500 metres of the site boundary the nearest of which is present approximately 250 metres to the south-east of the site.

The most recent record of great crested newt provided by City of London Corporation as Conservators of Epping Forest was recorded in 2001 at Chingford Golf Course to the west of the site. No grid reference was provided as part of the record.

Field Survey Results

No waterbodies are present within the site and therefore, the species does not breed within the site. The site offers suitable terrestrial habitat for the species in the form of the tussocky grassland whilst the surrounding habitats in the form of the continued grassland, scrub and woodland also offer suitable terrestrial habitats. Whilst the status of great crested newt is currently unknown in the surrounding ponds it is not possible to rule out the potential presence of the species within terrestrial habitats.

3.4.9 Invertebrates

Desktop Study Results

A large number of invertebrate records were returned by City of London Corporation as Conservators of Epping Forest. However, of those only two notable records were returned from within the last ten years with small heath *Coenonympha pamphilus* and white admiral *Limenitis camilla* recorded in 2010 and 2019 respectively east and west of the site. Stag beetle also forms part of the designation of the Epping Forest SAC situated to the immediate north of the site.

Field Survey Results

The semi-improved grassland within the site offers suitable habitat to support a range of invertebrate species with high quality habitat also present in the surrounds in the form of the mature woodland. The site is unlikely to support stag beetle lacking any areas of deadwood for reproduction.

3.4.10 Other Relevant Species

Desktop Study Results

A single record of European hedgehog *Erinaceus europaeus* was returned by City of London Corporation as Conservators of Epping Forest recorded in 2012 at Chingford Plain. Records of common toad *Bufo bufo* were also returned within the search area the most recent of which was recorded in 1999 in Chingford Golf Course to the west.

Field Survey Results

No evidence of any other relevant species was recorded within the site during the survey undertaken. The site supports suitable habitat European hedgehog and common toad in the form of the tussocky grassland present across the site.

3.5 Summary of Key Ecological Features

The following features are those with greatest ecological value that lie within the site's Zone of Influence:

- Epping Forest SAC and SSSI present to the immediate north;

- Site is designated as a SINC although the citation was unavailable at time of report preparation;
- Suitability for the site to support foraging and commuting bats and tree roosting bats along the northern site boundary;
- Suitability to support foraging badger;
- Suitability to support breeding birds;
- Suitability to support widespread species of reptiles;
- Suitability to support terrestrial great crested newt;
- Suitability to support European hedgehog and common toad; and
- Suitability to support a diversity of invertebrates.

4.0 POTENTIAL ECOLOGICAL CONSTRAINTS AND RECOMMENDATIONS

4.1 Introduction

This section identifies potential constraints to the proposed development scheme based on the key ecological features as identified in Section 3.0 and summarised in Paragraph 0. Recommendations are included for mitigation and compensation based on the identified ecological constraints, and opportunities for enhancement are discussed.

4.2 Designated Sites

4.2.1 Potential Constraints

The site immediately adjoins Epping Forest SAC and Epping Forest SSSI to the north. The proposals have the potential to result in direct impacts of these sites through increase in human activity and potential pollution and littering events.

At this stage the citation for the SINC was unavailable and therefore, it is unknown what features the SINC is designated for and therefore, the constraint that this presents to the proposals. The siting of staging, material, machinery, the movement of people to and from the event, trampling effects and littering has the potential to reduce the diversity and ecological value of the notable habitats for which the SINCs are designated for. Any vehicle movements could also result in damage to the SINC if inappropriately managed.

4.2.2 Potential Mitigation and Compensation Measures

Subject to further assessment it may be possible to offset the impact to the SINC through the implementation of an appropriate environmental management plan to ensure that the site, and surrounding SAC, SSSI and SINC, SSSI are fully cleared of any equipment, litter and waste following the completion of the event. This would also need to include appropriate, managed, access routes to the site and the use of trackways to minimise damage to grassland where possible on any heavy traffic areas within the concert area. This should be designed in consultation with a suitably qualified ecologist. However, this could still result in damage to the SINC habitats. For example, if the SINC is designated for the presence of neutral grassland, then an annual event which would damage the grassland prior to flowering could result in permanent damage to the features the SINC is designated for. Further consideration will need to be given to this as proposals come forward.

Epping Forest SAC and SSSI should be buffered by a minimum of 20 metres between the event area and habitats with no access to these buffers during the site set up or operational phase. The exclusion zone will be marked by high visibility fencing, such as Heras fencing (or similar). As the proposals for the event come forward it will be

necessary for the consenting authority to undertake a Habitats Regulations Assessment to determine whether there would be any likely significant effect on Epping Forest SAC either alone or in-combination with other plans or projects.

4.2.3 Enhancement Opportunities

No enhancements in respect of designated sites are recommended.

4.3 Habitats

4.3.1 Potential Constraints

The proposals have the potential to result in the degradation of the habitats present and temporary loss of their ecological functionality during the period of the event.

The movement of people to and from the event, trampling effects and littering has the potential to result in the degradation of the existing habitats at the site. The access routes to the site used by both the site set up team and attendees has the potential to degrade habitats in the surrounds.

4.3.2 Potential Mitigation and Compensation Measures

As already recommended an appropriate buffer of a minimum of 20 metres will require establishment between the event site and the woodland to the north of the site in order to minimise the risk of any damage to these habitats. No access to these buffers during the site set up or operational phase. The exclusion zone will be marked by high visibility fencing, such as Heras fencing (or similar).

An appropriate environmental management plan will need to be implemented at the event to ensure that the site, and surrounding habitats, are fully cleared of any equipment, litter and waste following the completion of the event. This would also need to include appropriate, managed, access routes to the site and the use of trackways to minimise damage to grassland where possible on any heavy traffic areas within the concert area. This should be designed in consultation with a suitably qualified ecologist.

4.3.3 Enhancement Opportunities

Whilst the existing management regime for the site is currently unknown it is recommended that this is reviewed in order to ensure that the site is subject to sympathetic management to allow recover and enhancement following the completion of the event.

4.4 Bats

4.4.1 Potential Constraints

Any future event at the site has the potential to result in disturbance to roosting, foraging and commuting bats through increased noise levels. The introduction of external

lighting has the potential to result in increased light spill on roosting, foraging and commuting features, resulting in the disturbance of bats.

In England, bats and their habitat are fully protected under the Wildlife and Countryside Act 1981 through inclusion in Schedule 5. In addition, all bat species are protected under the Conservation of Habitats and Species Regulations 2017. Refer to **Appendix 4** for details.

4.4.2 Potential Mitigation and Compensation Measures

Recommendations have been made for maintaining a minimum buffer of 20 metres between the event area and the woodland to the immediately north of the site in Paragraph 4.3.2 in order to avoid disturbing bats, should they be present. It is recommended that further consideration and assessment is given to bats once the layout and noise levels of the future event have been established.

The tree line should not be lit. Lighting should be restricted to the event itself and not during site set-up or closure. A further assessment of the potential lighting impacts should be undertaken once lighting plans are known.

4.4.3 Enhancement Opportunities

No enhancements in respect of bats are recommended.

4.5 Badger

4.5.1 Potential Constraints

Any future event at the site will result in temporary loss of badger foraging habitat short-term.

4.5.2 Potential Mitigation and Compensation Measures

Given that the loss of badger foraging habitat is only short-term (mater of days), no mitigation or compensation measures are recommended.

4.5.3 Enhancement Opportunities

No enhancements in respect of badger are recommended.

4.6 Birds

4.6.1 Potential Constraints

Should the event be undertaken during the nesting bird season (March to August, inclusive) then there is the potential for the proposals to result in disturbance and loss of nest both within the boundary vegetation and within the tussocky grassland within the site.

All birds, their nests, eggs and young are legally protected, with certain exceptions, under the Wildlife and Countryside Act 1981. Refer to **Appendix 4** for details.

4.6.2 Potential Mitigation and Compensation Measures

It is recommended that further consideration is given to birds once the layout and noise levels of any future event have been established. Areas of habitat could be managed in advance of the event in order to reduce the suitability for ground nesting birds.

4.6.3 Enhancement Opportunities

No enhancements in respect of birds are recommended.

4.7 Reptiles

4.7.1 Potential Constraints

Any future event has the potential to result in direct harm on slow-worm, common lizard and grass snake through site set up. Any future event at the site during the active reptile season of April to early October will result in the loss of habitat suitable for widespread species of reptile in the short-term.

Widespread reptile species (slow-worm, common lizard, grass snake and adder *Vipera berus*) are protected under the Wildlife and Countryside Act 1981 against harm, see **Appendix 4** for details.

4.7.2 Potential Mitigation and Compensation Measures

It is recommended that a precautionary method of works be utilised during the event set up. This would include the progressive strimming of grassland habitats down to 30 centimetres to encourage reptiles to disperse to the wider habitat in the surrounds. This would then be left for a minimum of 24 hours and mown to ground level in order to ensure the event area remains unsuitable. This should be included in the set-up plan for the site and should be undertaken under the supervision of an suitability qualified ecologist.

Following the completion of the event the affected area of grassland would be allowed to re-establish with any reptiles re-colonising the site.

4.7.3 Enhancement Opportunities

No enhancements in respect of reptiles is recommended.

4.8 Great Crested Newt

4.8.1 Potential Constraints

A population of great crested newt is present within the surrounding landscape. Any future event has the potential to result in direct effects on great crested newt if the event affected suitable habitat such as the tussocky semi-improved grassland.

Any future event at the site during the active great crested newt season of April to early October will result in the loss of habitat suitable for the species in the short-term.

In England, great crested newt and their habitat are fully protected under the Wildlife and Countryside Act 1981 through inclusion in Schedule 5. In addition, this species is protected under the Conservation of Habitats and Species Regulations 2017. Refer to **Appendix 4** for details.

4.8.2 Potential Mitigation and Compensation Measures

The precautionary method of works for reptile set out in Paragraph 4.7.2 would minimise the potential risk to great crested newt during the event. However, given that great crested newt is a European Protected Species it is recommended that Natural England be consulted through their Discretionary Advice Service (DAS) on the precautionary method of works once details of the event are known.

4.8.3 Enhancement Opportunities

No enhancements in respect of great crested newt are recommended.

4.9 Invertebrates

4.9.1 Potential Constraints

The proposals will likely result in the temporary loss of suitable terrestrial invertebrate habitat. However, given that it is anticipated that this would be for a very limited period of time this is not considered to be a significant constraint.

4.9.2 Potential Mitigation and Compensation Measures

Given the absence of potential significant constraints, no mitigation and compensation measures are recommended.

4.9.3 Enhancement Opportunities

No enhancements in respect of invertebrates is recommended.

4.10 Other Relevant Species

4.10.1 Potential Constraints

During the operational phase and site set up, any future event has the potential to result in direct effects on European hedgehog and common toad, if present, if the event is allowed to encroach onto tussocky grassland.

4.10.2 Potential Mitigation and Compensation Measures

Recommendations have been made for maintaining a minimum buffer of 20 metres between the event area and broadleaved woodland and hedgerows as discussed in Paragraph 4.2.2 in order to avoid harm to European hedgehog and common toad, should they be present.

Sensitive clearance methods of the tussocky grassland will be necessary prior to the commencement of any future event as set out in Paragraph 4.7.2. Any individual encountered as part of this work should be relocated to unaffected habitats in the surrounds.

4.10.3 Enhancement Opportunities

No enhancements in respect of European hedgehog and common toad are recommended.

5.0 CONCLUSION

5.1 Conclusion

The site is designated as a SINC with Epping Forest SAC and SSSI situated immediately to the north of the site. The full citation or boundary of the SINC was not available at the time of preparing this report. The site has been assessed as having suitability to support protected species including roosting bats, foraging and commuting bats, badger, breeding birds, wintering birds, great crested newt, widespread species of reptiles, European hedgehog and common toad.

The key constraints are the timing of the event, access routes, compaction and trampling, noise, lighting and layout of the event. Recommendations made including a sensitive lighting scheme, a minimum 20 metre buffer from the broadleaved woodland, establishing Root Protection Zones for mature scattered trees, perimeter fencing, an environmental management plan and controlled access routes.

Further consideration will need to be given to bats once the noise levels and layout of any future event are known in order to ensure these species groups will not be disturbed. Recommendation have also been made for a precautionary method of works during site set up in respect of reptiles and great crested newt. Further consideration will also need to be given to the potential impact of the event on the SINC, once further information on the features for which the SINC is designated are understood.

5.2 Updating Site Survey

If the boundary changes or the proposals for the site alter, a re-assessment of the scheme in relation to ecology may be required. Given the mobility of animals and the potential for colonisation of the site over time, updating survey work may be required, particularly if development does not commence within 18 months of the date of the most recent relevant survey.

6.0 REFERENCES

CIEEM, 2017. *Chartered Institute of Ecology and Environmental Management Website*. [Online]
Available at: www.cieem.net

CIEEM, 2017. *Guidelines for Ecological Report Writing*. 2nd ed. Winchester: Chartered Institute of Ecology and Environmental Management.

CIEEM, 2017. *Guidelines for Preliminary Ecological Appraisal*. 2nd ed. Winchester: Chartered Institute of Ecology and Environmental Management.

CIEEM, 2018. *Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater, Coastal and Marine*. Winchester: Chartered Institute of Ecology and Environmental Management.

Collins, J., 2016. *Bat Surveys for Professional Ecologists: Good Practice Guidelines*. 3rd ed. London: Bat Conservation Trust.

DEFRA, 2019. *Multi-Agency Geographic Information for the Countryside (MAGIC) Map Application*. [Online]

Available at: www.defra.magic.gov.uk

English Nature, 2001. *Great Crested Newt Mitigation Guidelines*. Peterborough: English Nature.

JNCC, 2010. *Handbook for Phase 1 Habitat Survey: A Technique for Environmental Audit*. Peterborough: Joint Nature Conservation Committee.

Map 1 Site Location Plan

CHINGFORD PLAIN, EPPING FOREST

PRELIMINARY ECOLOGICAL APPRAISAL

Map 1 - Site Location Plan

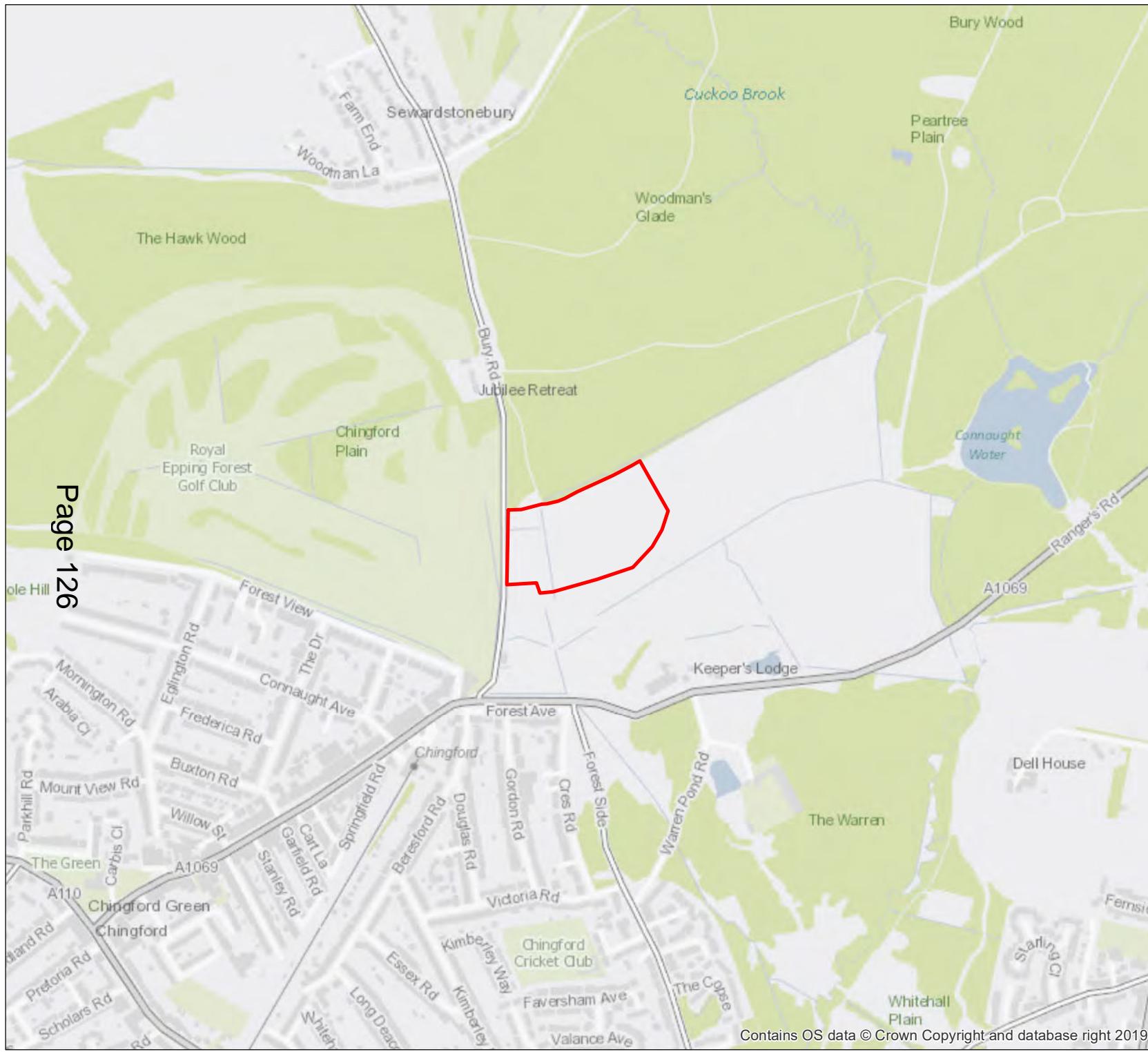
| | |
|---------|---|
| Client: | City of London Corporation as Conservators of Epping Forest |
| Date: | September 2019 |
| Status: | Final |

KEY

 Site Boundary



Page 126



Scale at A4: 1:10,000
0 100 200 400 Metres

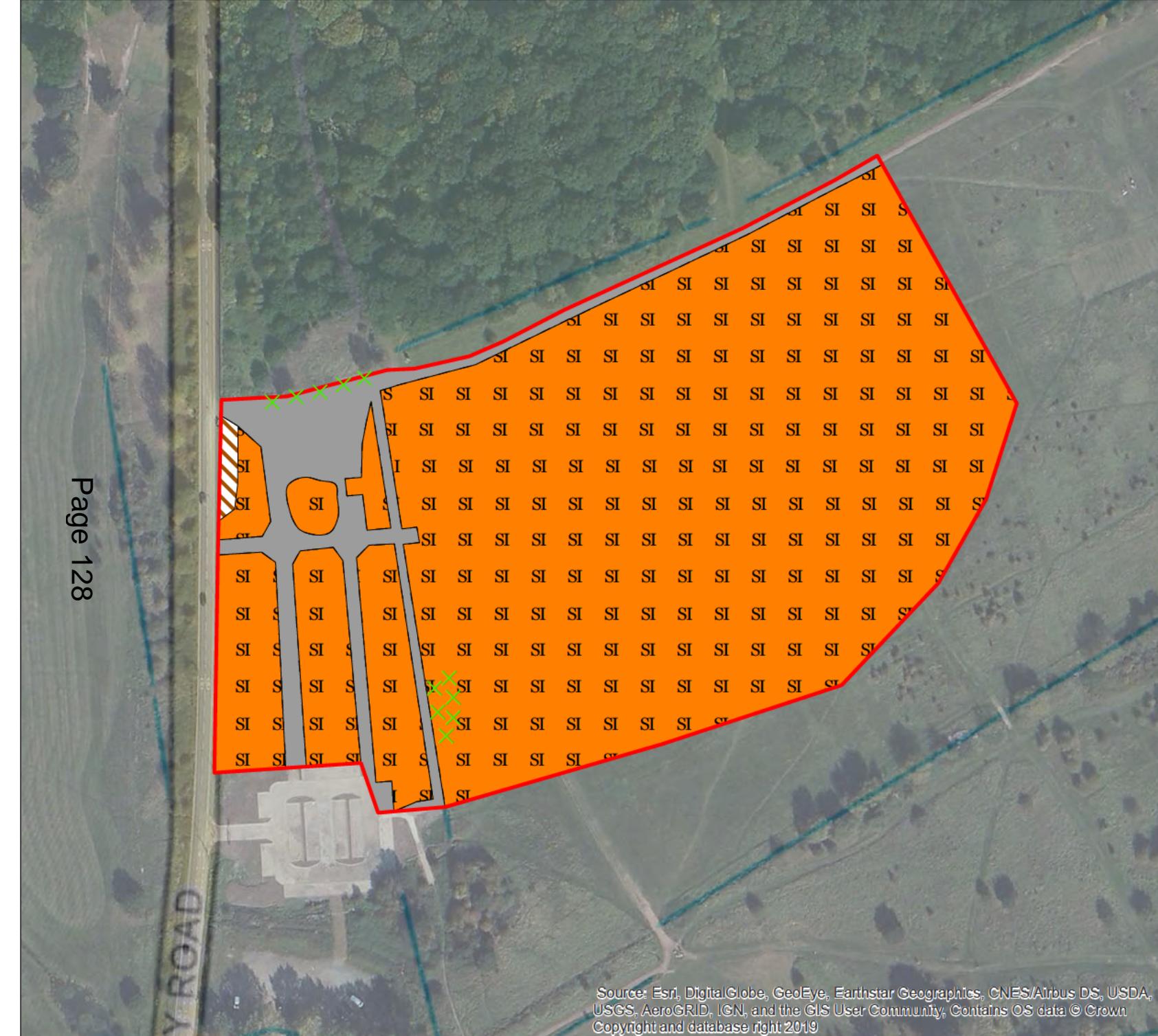


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Map 2 Phase 1 Habitat Map



CHINGFORD PLAIN, EPPING FOREST

PRELIMINARY ECOLOGICAL APPRAISAL

Map 2 - Phase 1 Habitat Map

| | |
|---------|---|
| Client: | City of London Corporation as Conservators of Epping Forest |
| Date: | September 2019 |
| Status: | Draft |

KEY

| | |
|--|-------------------------|
| | Site Boundary |
| | Scattered Scrub |
| | Semi-improved Grassland |
| | Tall Ruderal |
| | Hardstanding |

Scale at A4: 1:2,000
0 20 40 80 Metres



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Appendix 1 Statutory Designated Sites within the Desktop Study Area

Details of statutory designated sites within the desktop study area, as listed in Paragraph 3.2.1, are provided in **Table 1**.

Table 1: Statutory Designated Sites Located Within the Desktop Study Area

| Designation | Name | Approximate Relative Location | Reason for Designation |
|---------------|------|-------------------------------|--|
| Epping Forest | SSSI | Immediately north | <p>Annex I habitats which are a primary reason for the selection of the site:</p> <ul style="list-style-type: none"> ▪ Atlantic acidophilous beech forests with <i>Ilex</i> and sometimes also <i>Taxus</i> in the shrub layer (<i>Quercion roboreum-petraeae</i> or <i>Ilici-Fagenion</i>) <p>Annex I habitats which are present as a qualifying feature but not a primary reason for the selection of the site:</p> <ul style="list-style-type: none"> ▪ Northern Atlantic wet heaths with <i>Erica tetralix</i> ▪ European dry heaths <p>Annex II species that are a primary reason for selection of the site;</p> <ul style="list-style-type: none"> ▪ Stag beetle – records of which are widespread and frequent across the site. |
| Epping Forest | SSSI | Immediately north | <p>Epping Forest is one of only a few remaining large-scale examples of ancient wood-pasture in lowland Britain and has retained habitats of high nature conservation value including ancient semi-natural woodland, old grassland plains and scattered wetland. The seminatural woodland is particularly extensive, forming one of the largest coherent blocks in the country. The Forest plains are also a major feature and contain a variety of unimproved acid grasslands which have become uncommon elsewhere in Essex and the London area.</p> <p>In addition, Epping Forest supports a nationally outstanding assemblage of invertebrates, a major amphibian interest and an exceptional breeding bird community.</p> |

Appendix 2 Sites Designated for Nature Conservation

Statutory Sites

Internationally Designated Sites - Ramsar Sites, Special Areas of Conservation and Special Protection Areas

Special Protection Areas (SPAs) and Special Areas of Conservation (SACs) form a network of protected sites across the European Union called Natura 2000 sites. In the United Kingdom the primary legislative protection is afforded to these sites under the Conservation of Habitats and Species Regulations 2017 (as amended).

Ramsar sites are designated as wetlands of international importance which are afforded similar legislative protection to Natura 2000 sites.

SACs are sites which support internationally important habitats or internationally important assemblages or populations of species. SPAs are designated for supporting internationally important populations of birds listed in the annexes of the Birds Directive. SACs, SPAs and Ramsar sites are generally also designated as Sites of Special Scientific Interest.

Under Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended) there is a legal requirement that competent authorities, such as local planning authorities, need to consider whether plans or projects are likely to have a significant adverse effect on Natura 2000 sites or Ramsar sites, either alone, or in combination with other plans or projects. In the event that a likely significant effect cannot be ruled out, on the basis of objective information, then the competent authority must undertake an “Appropriate Assessment” to fully assess the plan or project against the site’s conservation objectives. Unless certain defined derogation tests can be met, the competent authority may not authorise nor undertake any plan or project which adversely affects the integrity of a Natura 2000 site or Ramsar site.

Nationally Designated Sites – Sites of Special Scientific Interest and National Nature Reserves

Sites of Special Scientific Interest (SSSIs) receive legal protection under the Wildlife and Countryside Act 1981 (as amended). Such sites are designated to protect specific areas of biological or geological interest of national importance. Such sites also generally receive strict protection through the planning system.

National Nature Reserves (NNRs) are also usually designated as SSSIs and are specifically managed for their wildlife value. They receive legal protection through the National Parks and Access to the Countryside Act 1949 and the Wildlife and Countryside Act 1981 (as amended). As with SSSIs, these sites generally receive strict protection through the planning system.

Locally Designated Sites – Local Nature Reserves

Local Nature Reserves (LNRs) are designated by local authorities under the National Park and Access to the Countryside Act 1949. These are generally designated not only for their local wildlife value but also for education, scientific and recreational purposes. These sites generally receive protection from development through the planning system.

Non-Statutory Sites

Locally Designated Sites

In addition to statutory designations, local authorities often designate sites of nature conservation importance at the local level. Such designations are named differently by each local authority and may be referred to as Local Wildlife Sites (LWSs), Sites of Importance for Nature Conservation (SINCs) or Sites of Nature Conservation Importance (SNCIs), amongst others. The exact level of protection afforded to these sites varies and is normally defined through local planning policy.

Appendix 3 Appraisal Criteria for Bats

The criteria used to assess the suitability of roosting and foraging/commuting habitat for bats is based on industry guidelines and outlined in **Table 2⁵**.

Table 2: Criteria used to Assess Suitability of Roosting and Foraging/Commuting Habitat for Bats

| Suitability | Description of roosting habitats | Commuting and foraging habitats |
|-------------|---|---|
| High | A structure or tree with one or more potential roost sites that are obviously suitable for use by larger numbers of bats on a more regular basis and potentially for longer periods of time due to their size, shelter, protection, conditions and surrounding habitat. | <p>Continuous, high-quality habitat that is well connected to the wider landscape that is likely to be used regularly by commuting bats such as river valleys, streams, hedgerows, lines of trees and woodland edge.</p> <p>High-quality habitat that is well connected to the wider landscape that is likely to be used regularly by foraging bats such as broadleaved woodland, tree-lined watercourses and grazed parkland.</p> <p>Site is close to and connected to known roosts.</p> |
| Moderate | A structure or tree with one or more potential roost sites that could be used by bats due to their size, shelter, protection, conditions and surrounding habitat but unlikely to support a roost of high conservation status. | <p>Continuous habitat connected to the wider landscape that could be used by bats for commuting such as lines of trees and scrub or linked back gardens.</p> <p>Habitat that is connected to the wider landscape that could be used by bats for foraging such as trees, scrub, grassland or water.</p> |
| Low | <p>A structure with one or more potential roost sites that could be used by individual bats opportunistically/structure that does not provide enough space, shelter, protection, appropriate conditions and/or suitable surrounding habitat to be used on a regular basis or by larger numbers of bats (i.e. unlikely to be suitable for maternity or hibernation).</p> <p>A tree of sufficient size and age to contain potential roost features but with none seen from the ground or features seen with only very limited roosting potential.</p> | <p>Habitat that could be used by small numbers of commuting bats such as a gappy hedgerow or un-vegetated stream, but isolated (i.e. not very well connected to the surrounding landscape by other habitat).</p> <p>Suitable, but isolated, habitat that could be used by small numbers of foraging bats such as a lone tree or a patch of scrub.</p> |
| Negligible | Negligible habitat features on site likely to be used by roosting bats. | Negligible habitat features on site likely to be used by commuting or foraging bats. |

⁵ Table adapted from (Collins, 2016)

Appendix 4 Relevant Legislation

Bats

All UK bat species are listed in Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and Schedule 2 of the Conservation of Habitats and Species Regulations 2017 (as amended). They are afforded full protection under Section 9(4) of the Act and Regulation 43 of the Regulations. These make it an offence to:

- Deliberately capture, injure or kill any such animal;
- Deliberately disturb any such animal, including in particular any disturbance which is likely:
 - To impair its ability to survive, breed, or rear or nurture their young;
 - To impair its ability to hibernate or migrate;
 - To affect significantly the local distribution or abundance of that species;
- Damage or destroy a breeding site or resting place of any such animal;
- Intentionally or recklessly disturb any of these animals while it is occupying a structure or place that it uses for shelter or protection; or
- Intentionally or recklessly obstruct access to any place that any of these animals uses for shelter or protection.

In addition, five British bat species are listed on Annex II of the Habitats Directive. These are:

- Greater horseshoe bat *Rhinolophus ferrumequinum*;
- Lesser horseshoe bat *Rhinolophus hipposideros*;
- Bechstein's bat *Myotis bechsteinii*;
- Barbastelle *Barbastella barbastellus*; and
- Greater mouse-eared bat *Myotis myotis*.

In certain circumstances where these species are found the Directive requires the designation of Special Areas of Conservation (SACs) by EC member states to ensure that their populations are maintained at a favourable conservation status. Outside SACs, the level of legal protection that these species receive is the same as for other bat species.

Great Crested Newt

Great crested newt are listed in Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and Schedule 2 of the Conservation of Habitats and Species Regulations 2017. They are afforded full protection under Section 9(4) of the Act and Regulation 43 of the Regulations.

These make it an offence to:

- Deliberately capture, injure or kill any such animal;
- Deliberately disturb any such animal, including in particular any disturbance which is likely, to impair its ability to survive, breed, or rear or nurture their young, to impair its ability to hibernate or migrate;
- To affect significantly the local distribution or abundance of that species;
- Damage or destroy a breeding site or resting place of any such animal;
- Intentionally or recklessly disturb any of these animals while it is occupying a structure or place that it uses for shelter or protection; or
- Intentionally or recklessly obstruct access to any place that any one of these species uses for shelter or protection.

Breeding Birds

With certain exceptions, all wild birds, their nests and eggs are protected by Section 1 of the Wildlife and Countryside Act 1981 (as amended). Therefore, it is an offence, to:

- Intentionally kill, injure or take any wild bird;
- Intentionally take, damage or destroy the nest of any wild bird while it is in use or being built; or
- Intentionally take or destroy the egg of any wild bird.

These offences do not apply to hunting of birds listed in Schedule 2 subject to various controls. Bird species listed on Schedule 1 of the Act receive further protection, thus for these species it is also an offence to:

- Intentionally or recklessly disturb any bird while it is nest building, or is at a nest containing eggs or young; or
- Intentionally or recklessly disturb the dependent young of any such bird.

Reptiles

The four widespread species of reptile that are native to Britain, namely common or viviparous lizard *Zootoca vivipara*, slow-worm *Anguis fragilis*, adder *Vipera berus* and grass snake *Natrix*

natrix, are listed in Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and are afforded limited protection under Section 9 of this Act. This makes it an offence to:

- Intentionally kill or injure any of these species.

The remaining native species of British reptile (sand lizard *Lacerta agilis* and smooth snake *Coronella austriaca*) receive a higher level of protection via inclusion under Schedule 2 of the Conservation of Habitats and Species Regulations 2017. They are afforded full protection under Section 9(4) of the Act and Regulation 43 of the Regulations (in England and Wales only) and the Wildlife and Countryside Act 1981 (as amended). The distribution of these species are restricted to only a few sites in England.

Species and Habitats of Principal Importance in England

The Natural Environment and Rural Communities (NERC) Act came into force on 1st October 2006. Section 41 (S41) of the Act requires the Secretary of State to publish a list of habitats and species which are of principal importance for the conservation of biodiversity in England. The England Biodiversity List is used to guide decision-makers such as public bodies, including local and regional authorities, in implementing their duty under section 40 of the NERC Act 2006, to have regard to the conservation of biodiversity in England, when carrying out their normal functions. There are currently 943 species of principal importance and 41 habitats of principal importance included on the England Biodiversity List.

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Agenda Item 11

| | | |
|---|---|-----------------------|
| Committee(s) | Epping Forest and Commons | Dated |
| | | 17/01/2022 |
| Subject: | Wanstead Park: Suitable Alternative Natural Green Space Project (SEF 04/22) | Public |
| Which outcomes in the City Corporation's Corporate Plan does this proposal aim to impact directly? | | 2/3/4/11/12 |
| Does this proposal require extra revenue and/or capital spending? | | y |
| If so, how much? | | £100,000 |
| What is the source of Funding? | | 100% Grant aid |
| Has this Funding Source been agreed with the Chamberlain's Department? | | No |
| Report of: | Juliemma McLoughlin, Executive Director Environment | For Decision |
| Report authors: | Geoff Sinclair, Head of Operations Jeremy Dagley, Head of Conservation | |

Summary

This report is necessary to consider a proposal by the London Borough of Redbridge to nominate Wanstead Park as part of a Suitable Alternative Natural Green Space (SANGS) 'toolbox' or 'SANGS infrastructure' response to mitigating the London Borough of Redbridge's Local Plan development impact on the Epping Forest Special Area of Conservation (SAC). The proposal would provide a one-off payment of up to £100,000, collected by the Local Planning Authority from developer-funded contributions. This funding would be used to improve visitor infrastructure on a part of the Forest outside the SAC, allowing it to accommodate predicted increases in recreational pressure and, thereby, provide an alternative destination for visitors to ease recreational pressure on the Site of Special Scientific Interest (SSSI) and SAC.

The funding opportunity arising through this SANGS infrastructure funding would allow three projects identified in the Wanstead Parkland Plan to be progressed, namely, a new surfaced path through Reservoir wood, improved access from the southwest of the park from the 'Exchange Lands' linking with the Roding Valley Way and a contribution towards the development of a natural play area in the park.

Recommendation(s)

Epping Forest and Commons Committee Members are asked to:

- approve the acceptance of Suitable Alternative Natural Green Space (SANGs) infrastructure funding of up to £100,000 from the London Borough of Redbridge, using developer-funded contributions, to progress visitor access improvements in Wanstead Park and its exchange lands.
- authorise the completion of any necessary suitable legal agreement with the London Borough of Redbridge for the transfer of monies and delivery of infrastructure to ensure SAC mitigation, the final terms to be delegated

to the Superintendent of Epping Forest in consultation with the City Solicitor and Chamberlain.

Main Report

Background

1. At your meeting of the 18 November 2019 the Wanstead Park: Parkland Plan was adopted to guide the future management of the Wanstead Park, Registered Park and Garden of Special Historic Interest.
2. The Parkland Plan sets out plans for the future Grade II* heritage landscape shared across four land ownerships, including the majority held in trust by the City of London Corporation. The Plan guides the existing spending on the park by the Epping Forest Charitable Trust together with an aspirational programme of works that could only be progressed subject to additional financing being identified. Working with local partners and agencies resourcing options are being actively explored to help take the Parkland Plan actions forward., Examples include the Wanstead Wetland Project approved by your Committee of March 2021 and the Playground Project which is also before your Committee for approval...
3. The London Borough of Redbridge (LBR) and the other local authorities within the Epping Forest Special Area of Conservation (SAC) Zone of Influence have been developing their Local Plan policies with regard to accommodating locally determined housing targets in their boroughs. Natural England (NE) has advised that a recreational Zone of Influence (ZoI) of 6.2Km should be used to determine whether new residential applications will have a significant recreational impact on Epping Forest SAC.
4. To offset harmful impacts of new residential developments, an Epping Forest SAC Mitigation Strategy is being developed by the Epping Forest Charity, Local Authorities and NE. This Mitigation Strategy includes mitigation management within the Forest itself, so-called Strategic Access Management and Monitoring (SAMM) measures, and the provision of Suitable Alternative Natural Greenspace (SANGs) recreation sites separate from the SAC/SSSI. The SAMM measures are reported to your Committee separately.
5. In the London Boroughs generally the physical space for new SANGs is either highly constrained or the areas where provision may be possible do not match the proposed residential development locations. As a result, Natural England has advised that local authorities, acting as 'competent authorities' required to protect the SAC from recreational pressure, should consider not only providing complete SANGs sites but also consider funding a series of smaller so-called 'SANGs infrastructure' interventions to enhance existing green spaces.
6. Natural England also describes this smaller-scale infrastructure approach to additional mitigation as a 'toolbox approach'. Such SANGs infrastructure interventions would need to ensure the protection of those greenspaces where the interventions are proposed, while also accommodating a measurable uplift in visitor numbers to provide diversionary recreational attractions that deflect further pressure from the SAC.

7. In LBR, the options for SANGs are being identified in a forthcoming Green & Blue Infrastructure Strategy, for which Natural England has been providing some guidance to the Local Authority on SANGs provision. Although LBR does have options for larger public greenspaces, developments in Ilford and eastern areas of LBR, in particular, could give rise to immediate additional pressure on the Forest, and not just on the SAC itself. Given the urban character of this part of LBR, a SANGs infrastructure approach, with a variety of interventions, is being explored by the local authority in relation to developments in this part of the Borough.
8. As a result, LBR has approached the Epping Forest Charity proposing the possibility of using a SANGs toolbox/infrastructure approach to fund a new gateway from the Roding Valley into Wanstead Park. The gateway would improve an existing informal entrance to Wanstead Park from the charity's 'exchange lands' with new signage and interpretation, path upgrade and improvement all the way to Blakehall Road with some support to help develop natural play within the park. (Appendix 1).
9. The proposed projects form part of the Wanstead Parkland Plan and there is potentially £100,000 currently available for financing the works. The works are also considered suitable mitigation measures under LBR's Habitats Regulations Assessment (Appropriate Assessment) for mitigation measures because Wanstead Park and its 'exchange lands' are in an ideal geographical position to provide an alternative recreational destination to the SAC areas. In addition, importantly, such measures would also help to protect the existing important habitats within the Park, including the Bluebells and acid grassland, ahead of the expected increase in visitors.

Options

10. **Option 1:** To support the implementation of a SANGs infrastructure-funded improvement programme at Wanstead Park, as outlined in Appendix One and through legal agreement with LBR. This initiative would provide the opportunity to access finance to progress significant projects identified in the Wanstead Park: Parkland Plan. It also supports the community partnership working to establish a natural play area in the park. In addition, given the increase in nearby residential populations under the LBR Local Plan housing programme, this project seeks to increase the resilience of Wanstead Park infrastructure from increased likely recreational pressure while providing an effective alternative for LBR residents to Epping Forest's SAC areas, thereby mitigating the impact of new residential development. **This option is recommended**
11. **Option 2:** To decline the offer of SANGs infrastructure funding for Wanstead Park as outlined in Appendix One. Declining the offer of funding would require alternative fund-raising approaches to be identified. This may result in significant delays in progressing the infrastructure improvement projects that have been identified in the Wanstead Park Parkland Plan. It may mean that the forecast increases in recreational pressure from the new residential areas near to the Park would not be pre-empted and infrastructure repair and other visitor management costs might increase. It would also restrict options for

reducing visitor pressure on the Epping Forest SAC in the LBR area, where Wanstead Park is well positioned to intercept visitors from new development in Ilford. **This option is not recommended**

Resource Implications

12. The project costs are estimated to be £100,000 (Appendix 1) and would be met through the SANGS infrastructure contribution from the competent authority, LBR. Work on items would only progress when the funding for the items is confirmed and subject to the likelihood of a formal agreement with LBR (see *Legal Implications* below).
13. The SANGS infrastructure payment offer does not include any ongoing maintenance funding. The nature of the improvements proposed are that they are largely robust capital items, such as the construction of a new path, which by design require limited maintenance once installed. The ongoing maintenance costs for this new infrastructure, therefore, are expected to be low but nonetheless will have future funding implications for the Forest's maintenance budget and any eventual replacement(s) cycle. In settling the arrangements with LBR, your officers would seek to secure that an element of the funding is retained for ongoing maintenance but this remains subject to negotiation and would be settled under the delegated authority.

Legal Implications

14. The works are within an Archaeological Priority Area (APA) and will need to be consented by the Local Planning Authority and Historic England.
15. The works are also within the Grade II* Wanstead Park Registered Park and Garden. The proposed works form part of the Parkland Plan which has been developed in consultation with Historic England and are likely to require planning consent.
16. Receipt of the SANGS infrastructure financial award is likely to require a formal legal agreement to be drawn up between the SAC competent authority, London Borough of Redbridge (LBR), and City of London Corporation as Conservators of Epping Forest.

Equalities Implications

17. The works are designed to encourage wider use of the Park through improving its accessibility, visitor orientation and linkage to the wider greenspace network. The natural play area is designed to encourage families with young children to visit and will include play opportunities for 2-10-year-old children of varying abilities. The Aldersbrook area has been identified as an area with a significant play deficit and the nearest public play area is 30-minutes' walk away for most residents.
18. It is considered that there are considerable positive impacts for local children and protected equality groups.

Charity Implications

19. Epping Forest is a registered charity (number 232990). Charity Law obliges Members to ensure that the decisions they take in relation to the Charity must be taken in the best interests of the Charity.
20. The Charity has clear obligations to protect the Forest under its founding legislation and through subsequent legislation requirements to similarly conserve the SSSI and SAC. While the arrangements will help residential developers to acquire consents, it is in the clear interest of the Charity to work collaboratively with LBR as the competent authority, to minimise the adverse impacts of increased recreational pressure which has effectively been diverted from the SSSI & SAC.

Climate Implications

21. The proposals form part of wider works to reduce or otherwise mitigate the recreational impact on the Epping Forest SAC and, as a consequence, should maintain or even improve its capacity to respond to climate change.
22. The proposals are designed to encourage more local greenspace use and should lead to more people visiting via sustainable transport means such as walking and public transport. Through SAMMS measures future SAC and Visitor Survey monitoring should be able to elucidate the effectiveness of this through targeted questionnaires.

Conclusions

23. Funding for improvements at Wanstead Park has been identified through the SANGs infrastructure (or “toolbox”) approach developed by the LBR as part of its forthcoming Green & Blue Infrastructure Strategy to contribute towards offsetting increased recreational impact from new development on the Epping Forest SAC.
24. The proposed funding would be an initial single payment for works and is likely to require a legal agreement to be signed with the LBR. Subsequent SAMMS monitoring will assess the success of the mitigation measures and any requirement for additional maintenance or improvement.
25. It is recommended that SANGs infrastructure funding be accepted (Option 1) for visitor access improvement works at Wanstead Park and its exchange lands, as identified in Appendix 1.

Appendices

Appendix 1: SANGs Infrastructure project proposals for Wanstead Park

Background Papers

- Wanstead Park: Conceptual Options Plan (SEF 38/19). Epping Forest and Commons Committee Report. 18th November 2019

- Wanstead Park: Wetland Improvement Proposals (SEF 09/21b) Epping Forest and Commons Committee Report 8 March 2021
- Wanstead Park Natural Play Area (SEF 03/22) Epping Forest and Commons Committee Report 17 Jan 2022

Report authors

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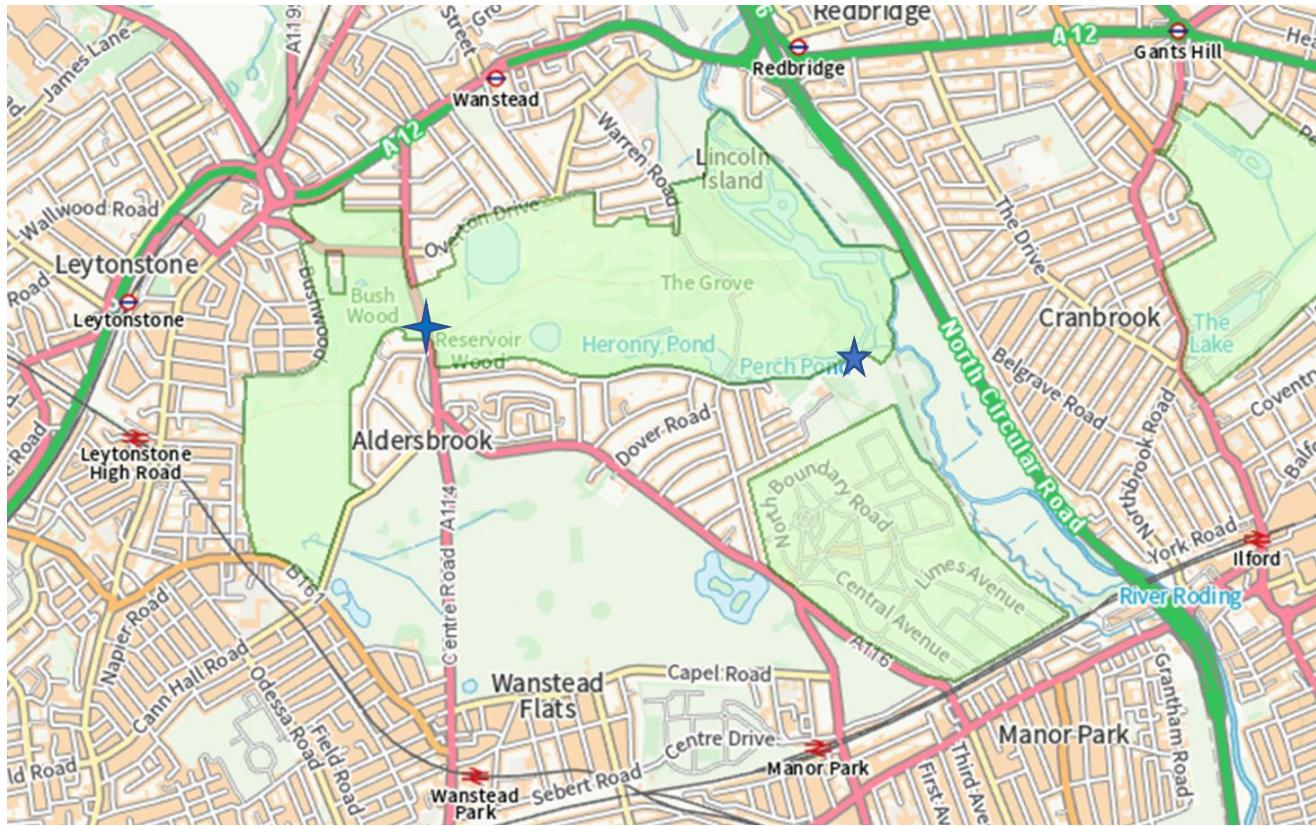
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- ★ - Blake Hall Road entrance
- ★ - Roding Gate entrance

ACCESS IMPROVEMENTS

Roding Gate

The Roding Gate is located to the south of Wanstead Park. It is currently an unofficial entrance because it is accessed over Thames Water land. City of London Corporation (CoLC) have been in discussion with Thames Water about formalising this access. Thames Water are currently taking this proposal through their internal process for agreement.

We would like to enhance this key entrance at the southeast of the park – which gives access to communities to the east of Wanstead Park in Ilford and Cranbrook. There is currently no other entrance from the east as the River Roding runs along the eastern park boundary.

Works would include path improvements, wayfinding signage, and new entrance notice board.



View looking north over Thames Water Land towards the park (left photo)



View into Wanstead Park from Thames Water at what would be the Roding Gate entrance (right photo)



View looking out from Wanstead Park southwards onto Thames Water land.

| Roding Gate Entrance | |
|---|---------|
| New Entrance creation - Notice Board and installation | 3,000 |
| Path works 100m new path @ £100 | 10,000 |
| Improvement path works 250 m @ 40 per m | 10,000 |
| Way finding signage - 2 new finger posts | 1000 |
| Total | £23,000 |

Blake Hall Road Entrance and path

At the west of Wanstead Park is the Blake Hall Road entrance.

This is the key gateway into the park from the west. At the moment it is underwhelming, and is not an obvious entrance with no notice boards to give key information.



Above – view from Blake Hall Road at the Wanstead Park entrance



Above view from the park looking out to Blake Hall Road

| Blake Hall Entrance reconfiguration and Design | |
|---|----------------|
| Removal of old concrete fence and disposal | 5,000 |
| Install new fence - 70m x £150 a m | 12,500 |
| Vegetation clearance and management -improve welcoming aspect | COL works |
| Blake Hall Road Path improvements - 350m @ £100 per m | 35,000 |
| Install litter bin | 800 |
| Total | £53,300 |

Management of the cycle way connecting exchange lands south of Wanstead Park to Manor Park

The existing cycle path network is being enclosed by woody vegetation and is increasingly poorly accessible. Initial works to get the verge areas into a more easily maintained condition are required. Waymarking signage is limited and additional signage to improve orientation are required, see below

Enhanced cycle path signage proposals

Empress Avenue

Enhanced cycle signage



Above – Empress Avenue gate and cycle route

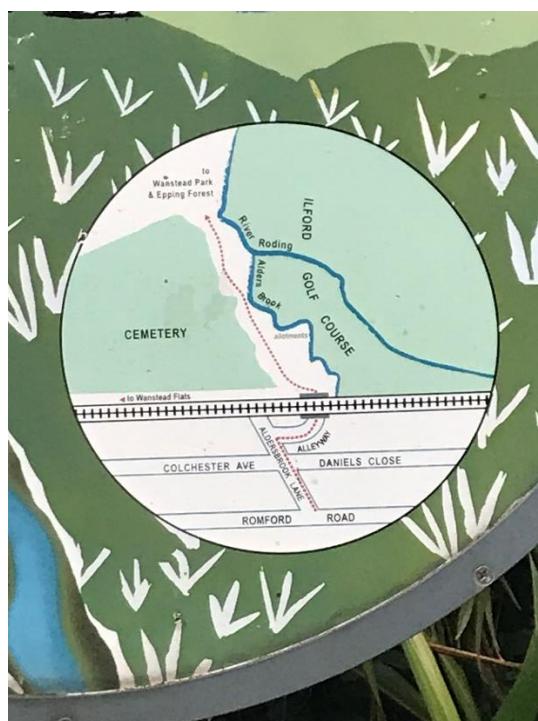


Above – view into Epping Forest from Empress Avenue

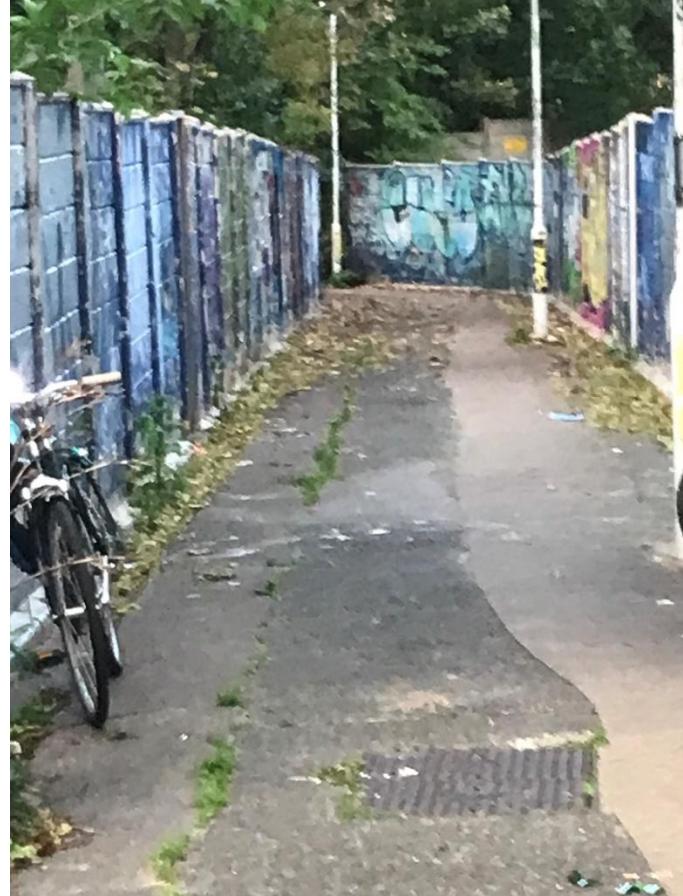
Empress Avenue could have wayfinding signage installed – directing visitors to Wanstead Park and the River Roding

The south of the cycle Roding Valley Way – Newham Section

Newham section of RVW is overgrown and signage could be improved.



Aldersbrook Lane Signage above



Newham Entrance to the Roding Valley Way from Aldersbrook Lane

ATTRACTING NEW VISITORS THROUGH ENHANCED FACILITIES

Natural Woodland Play Area

The provision of a play facility at Wanstead Park is recognised as a feature that will draw visitors to the park and where undertaken to promote natural play will develop the park as the preferred destination for families with children, a large user group of the natural greenspace in the area.

There is a deficiency of play areas in the west of Redbridge. This was highlighted in the Redbridge Open Spaces Study which states,

“Despite possessing a good quantity of open space, the west of the Borough experiences poor provision of play facilities, with large sections of the community not within walking distance of an equipped local play space....Opportunities to provide play facilities should be considered to address deficiency e.g. provision of natural play features within natural and semi-natural green spaces.”

One recommendation of the study was, “Partner with other open space managers. The Borough could work with the City of London (COL) to explore options for the installation of appropriate play spaces within COL open space sites,”

The deficit in play provision detailed in the Redbridge Play Strategy 2007 – 2012 giving the proportion of play areas across seven areas, per 1,000 population of children.

- For Snaresbrook & Wanstead area – child population 3,822, one play area at Christchurch Green. Giving 0.26 play areas per 1,000 children which is the second worst in the Borough.
- The most deficient is Cranbrook, Newbury and Valentines, at 8,003 total children, two play areas, at 0.25 play areas per 1,000 children. These areas are to the east of Wanstead Park,

- By comparison the least deficient was Bridge, Church End, Monkham & Roding with 8,165 children, seven play areas and 0.85 play areas per 1,000 children.
- The worst area is east of Wanstead Park in Cranbrook ward. Valentine ward is also set for massive amounts of regeneration over the next decade with 6,000 new homes being built by 2030.

We have now secured planning permission under permitted development in October 2021 for the natural play area.

The proposal is to enhance the natural play features that have already been installed from arisings of Forest management operations. These include climbing tree trunks, and stepping stones from felled trees. The use of natural features for play within the more natural/wild setting of Wanstead Park which will introduce young people to the benefits of being out in the natural environment and in location separate from the SAC.

Funding applications are pending to help with the cost of some items. Funding is required to support three projects:

- The preparation of a shallow depression into a play feature with balance rails, bridge and play safe sand.
- The construction of 70m of new path to provide accessibility on the play area
- Provision of essential safety fencing and signage around the play area
- Supply and installation of two timber sleeper seats

| Play Area outline costing | |
|---|----------------|
| Shallow pit improvements: | £5,500 |
| Fencing and signage | £10,000 |
| Two timber sleeper seats (<i>These can come with a dedication plaque if required</i>) | £3,000 |
| Path construction | £5100 |
| Total | £20,600 |

SUMMARY COSTS

| | |
|--|----------------|
| Play Area outline costing | £20,600 |
| Blake Hall Entrance reconfiguration and Design | £53,300 |
| Roding Gate Entrance | £23,000 |
| Total | £99,900 |

Sarah Reid/Geoff Sinclair 07/12/2021

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Agenda Item 12

| | | |
|---|--|--------------------------|
| Committee(s) | Epping Forest and Commons | Dated |
| | | 17/01/2022 |
| Subject: | Wanstead Park Natural Play Area (SEF 03/22) | Public |
| Which outcomes in the City Corporation's Corporate Plan does this proposal aim to impact directly? | | 2/3/4/11/12 |
| Does this proposal require extra revenue and/or capital spending? | | y |
| If so, how much? | | £32,077 |
| What is the source of Funding? | | Local fundraising |
| Has this Funding Source been agreed with the Chamberlain's Department? | | no |
| Report of: | Juliemma McLoughlin, Executive Director Environment, | For Decision |
| Report author: | Geoff Sinclair, Head of Operations | |

Summary

This report outlines the development of further proposals for a built natural play area at Wanstead Park. An original proposal to your Committee to negotiate a licence agreement with the London Borough of Redbridge to build, maintain and inspect a play area has not proved possible. A working group consisting of Epping Forest officers, Aldersbrook Families Association (AFA) and Aldersbrook Parent Teacher Association (PTA) was subsequently established to fundraise around an alternative solution. The working group has developed costed proposals for a revised play area design using materials available directly from Epping Forest and which could be constructed by and maintained by a mix of volunteers and Epping Forest staff. Three well-suited and time-limited opportunities to fully raise the funds to finance essential elements of the proposed play area, such as signage, fencing and seating have been identified by the working group.

The opportunity presented by these funds has meant that the preliminary proposals for the play area have been developed for approval by your Committee as per the Charity's Play Policy. This report is necessary to update your Committee on the current status and seek approval for joint AFA and Epping Forest Charity funding arrangements to progress the work on the natural play area.

Recommendation(s)

Epping Forest and Commons Committee Members are asked to:

- Approve the provision of a joint Epping Forest Charity and community managed natural play area at Wanstead Park.
- Approve the joint AFA and EFCT funding applications and fundraising arrangements to fund the construction of a natural play area at Wanstead Park.

Main Report

Background

1. At your meeting of 9 July 2018, the Epping Forest Play Policy was approved which sets out the position that the Conservators will adopt in relation to requests for play areas on land managed by the Epping Forest Charitable Trust (EFCT).
2. At the same meeting on 9 July 2018 the Conservators agreed that there was an exceptional case to construct a natural play area on Forest Land at Wanstead Park to meet community need in an area of play deprivation. The report proposed that the natural play area would be funded and maintained by the London Borough of Redbridge (LBR) under a negotiated licence agreement.
3. An area close to The Temple folly in Wanstead Park, which had been used as a wood waste storage area, was identified for the play area and cleared by your staff. Subsequent negotiations with the LBR could not secure the basis to progress a licence arrangement and development work was suspended.
4. In February 2021, the Aldersbrook Families Association (AFA), who have promoted the establishment of a play area in the Aldersbrook area for over 20 years, approached the Epping Forest Charity to consider whether there were alternative ways forward to achieve a natural play area. The APA also offered £10,000 of its own funds to support the establishment of a play area and were keen to support efforts to fund raise for the remaining finance.
5. The Wanstead Park Parkland Plan approved by the EF&CC on 18 November 2019 identified a play area as a priority project. To finance the implementation of the Parkland Plan the Charity has been working with stakeholders to identify external sources of funds to help progress the plan incrementally, pending the opportunity to identify match funding to enable the application for larger funding streams.
6. It was reported to your Committee on 10 May 2021 a working group of the Epping Forest Charity, AFA and Aldersbrook Parent Teacher Association (PTA) had been established to develop a viable project, including costed proposals designs for a community funded and managed natural play area. It was anticipated that additional fund-raising would be required to deliver this project.
7. A revised natural play area design was developed (Appendix One) based on using materials available directly from Epping Forest and which could be constructed by volunteers and Charity staff. This was a considerably simplified design compared to the original proposals envisaged which were solely based on procured play structures. A competent archaeologist has volunteered to monitor the works as they progress to ensure we meet best archaeological practice.
8. A pre-planning application meeting was held with LBR on 14 September 2021 to assess the need or otherwise for planning permission for the proposed play area and it was confirmed on 16 September 2021 that the play area could be constructed under the General Permitted Development Order. LBR, however, recommended that a Lawful Development Certificate should be sought to protect the project from any subsequent challenge. A local architect volunteered his time to support the submission of an application for a lawful development certificate which was received on 29 October 2021.

9. The revised play area proposal is estimated to cost in the region of £32,000. This will cover the cost of essential requirements such as the replacement and extension of the boundary fence, seating, 70m surfaced path to ensure accessibility and signage, including safety signage. The surfaced path will be necessary to ensure basic accessibility but will be in keeping with the existing surroundings
10. To augment the natural play features of logs and rocks the purchase of three rustic play structures, balance ropes, monkey bars and wobble beam will cost £2,520.
11. Ongoing management of the play area would be an additional requirement for the Epping Forest Charity. This would include weekly monitoring of the rustic log structures and an annual independent external assessment by Royal Society for the Prevention of Accidents (RoSPA). The revised play area design has been developed to be within the competence and capacity of existing Epping Forest staff to monitor and maintain.
12. Three compatible, but time—limited, opportunities to fully raise the funds to finance the construction of the play area have been identified and are currently being progressed:
 - a. Community crowdfunding with Spacehive: Redbridge Council is working in partnership with Spacehive to launch the #CommunityCrowdfunding programme. The Wanstead Park Natural Play area working group were encouraged to apply and it is hoped an application through this process can be submitted in February/March 2022. This has the potential generate £20,000 and would be led by the AFA
 - b. City of London Corporation Enjoying Green Spaces and the Natural environment Central Grants fund. This fund awards up to £15,000 and applications were due for the 14th of October and the AFA submitted an application based on the Working group's proposal and focussing on essential items such as safety signage, boundary fencing and seating.
 - c. London Borough of Redbridge Sustainable Alternative Natural Green Space (SANGS) funding. At the time of writing the LBR have identified a possible opportunity to draw in developer contribution funding for Wanstead Park as part of proposals to develop SANGS within Redbridge. Given the clear play deprivation case funding towards the play area was considered appropriate as part of wider access improvement package which will be brought to your Committee.
13. The applications for grants A and B will be managed by AFA. Should the funds be achieved the Epping Forest Charity would carry out the necessary works and the AFA will fund this work from the grants accrued.
14. The opportunity presented by these short deadline funds has required that preliminary proposals for the play area have been developed, for approval by your Committee in line with the Play Policy.
15. This report is to update on the current status and request that your Committee approves the joint AFA and Charity funding arrangements to progress the work on the natural play area.

Proposals

16. To approve the joint AFA and Epping Forest charity funding applications to Spacehive Crowdfunding and the City of London Central grants scheme and the Charity's responsibility for play area inspection and maintenance. This would enable the opportunity to access finance to progress a locally managed natural play area and a priority project identified in the Wanstead Park Parkland Plan. **Recommended**
17. To not support the progression of a joint AFA and EFCT funding applications to Spacehive Crowdfunding and the COL Central grants scheme. This would require alternative fund-raising approaches to be identified with potential delays in progressing a priority project for the Wanstead Park Parkland Plan. **Not recommended**

Resource Implications

18. Capital costs estimated at £32,077 for the play area will be met through grant aid raised from the three funds if successful. Work on items will only progress if the funding for the items has been raised.
19. There is no commitment on the Charity to replace play equipment at the end of its life, however, it is hoped that community support will be maintained, and fundraising can be continued to cover the ongoing future capital costs.
20. The management of the play area is an additional commitment. The structures are, however, all within our current operational competence to maintain and manage and we have an established process for managing 'maintainable' structures that they would be combined into. The COL insurance team confirm there is no impact on the liability insurance premium.

Legal Implications

21. The Local Planning Authority has confirmed that Planning Consent for the Play area is not required and a Lawful Development Certificate has been provided.
22. The works are within an archaeological protection area and while the works are considered lawful development the proposals will be confirmed with Historic England prior to progressing.
23. The play area is within the Grade II* Wanstead Park Registered Park and Garden. The proposal forms part of the Parkland Plan which has been developed in consultation with Historic England who are aware of the play area location and its status as lawful development.

Equalities Implications

24. The works will encourage wider use of the Park by families with young children and will include play opportunities for 2-10-year-old children of varying abilities. The Aldersbrook area has been identified as an area with a significant play deficit and the nearest public play area is 30-minute walk away for most residents.
25. In 2018/19, the level of excess weight among 10–11-year-olds in Redbridge was worse (40%) than the average for England (34.3%) and London (37.9%) taken from London Borough of Redbridge Annual Health Report 2020. Around a third of children leave Aldersbrook Primary school either overweight or obese. Having a playground nearby that children can easily visit will make a huge difference to their physical health and fitness. This is particularly important for lower income families to have access to physical activities that are cost free.
26. It is considered that there are considerable positive impacts for local children and protected equality groups.

Charity Implications

27. Epping Forest is a registered charity (number 232990). Charity Law obliges Members to ensure that the decisions they take in relation to the Charity must be taken in the best interests of the Charity. The proposal will enhance enjoyment of the Forest in a manner which is complimentary to the Forest's character and natural aspect and meets an agreed aim of the Wanstead Park Parkland Plan

Climate Implications

28. None

Conclusion

29. A natural play area at Wanstead Park is considered an appropriate development.
30. It has not been possible to progress a local authority managed play area at this location and a revised lower key facility based on materials from Epping Forest and implemented by Epping Forest staff and volunteers is proposed.
31. In an excellent example of community-facility provision, the Epping Forest Charity would work in close association with the AFA to secure access to the necessary funding to enable the project.

Appendices

None

Background Papers

- Wanstead Park: Conceptual Options Plan (SEF 38/19). Epping Forest and Commons Committee Report. 18th November 2019
- Epping Forest Play Policy (SEF 31/18) Epping Forest and Commons Committee Report 9th July 2018
- Proposal for a play area at Wanstead Park (SEF 30/18) Epping Forest and Commons Committee Report 9th July 2018
- Epping Forest Work Programme 2021/2022 (SEF 20/21) 10th May 2021

Report author

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Agenda Item 13

| | |
|---|--|
| Committee: Epping Forest & Commons | Dated: 17/01/2022 For Decision |
| Subject: EFSAC SAMM Mitigation Partnership Agreement (SEF 7/22) | Public |
| Which outcomes in the City Corporation's Corporate Plan does this proposal aim to impact directly? | 2, 4,10,11 and 12 |
| Does this proposal require extra revenue and/or capital spending? | No |
| If so, how much? | N/A |
| What is the source of Funding? | External: local authorities |
| Has this Funding Source been agreed with the Chamberlain's Department? | Yes |
| Report of: Juliemma McLoughlin, Executive Director, Environment Department | For Decision |
| Report authors: Jeremy Dagley, Head of Conservation, Epping Forest | |

Summary

This report presents the proposed Strategic Access Management & Monitoring Strategy (SAMMS) Agreement for Epping Forest Special Area of Conservation (EFSAC) in response to the likely future significant increase in recreational pressures on the Forest. As successive Habitat Regulations Assessments for the local plans of the surrounding local authorities have demonstrated, very significant increases in visitor numbers are predicted. These increases would result from the planned increase in housing within the agreed recreational Zone of Influence (ZoI) of 6.2km from SAC boundaries. The increase in housing proposed by six local authorities in the ZoI amounts to the building of over 68,000 residential units over the next 15 years.

As part of the necessary mitigation for these increased pressures on the Forest environment, a wide range of mitigation proposals, for implementation across the EFSAC, were approved by your Committee in November 2020. These were the subject of negotiation with the six local authorities and Natural England over the last year. As a result, a package of measures, including the employment of specialised staff, amounting to a total cost of over £24M for an in perpetuity period of 80 years, has been agreed for the EFSAC. This package is included as a detailed Schedule within a comprehensive Partnership Agreement for the governance and financing of the SAMM Strategy by the local authorities. This report proposes that, as the Delivery Body of the mitigation measures, the City Corporation should be a signatory and party to the Partnership Agreement to ensure the appropriate control and auditing of the financial contributions and the timely implementation of the mitigation.

Recommendation(s)

Members are asked to:

- approve the City Corporation (as The Conservators of Epping Forest) acting as the Delivery Body and, thereby, being a party to the EFSAC SAMMS Partnership Agreement (a working draft of which is appended to this report);
- delegate authority for the negotiation and completion of the draft EFSAC SAMMS Partnership Agreement to the Executive Director in consultation with the City Solicitor and Chamberlain, and in consultation with the Chairman and Deputy Chairman, subject to the final terms reflecting the arrangements as set out in this report.

Main Report

Background

1. A large proportion of Epping Forest (2,450ha) is under statutory protection for its features of international importance for nature conservation, as a Special Area of Conservation (EFSAC), 1,605ha in extent, and for features of national importance, as a Site of Special Scientific Interest (SSSI) (1,728ha). As an SAC it is to be protected from the adverse impacts of any proposed projects or plans, including those of Local Plans, by the Conservation of Habitats and Species Regulations 2017 (as amended) (the Habitats Regulations).
2. In formulating their Local Plans, the local authorities within the recreational Zone of Influence of 6.2km from the boundaries of the EFSAC, as competent authorities under the Habitats Regulations, are required to prevent adverse impacts. These impacts are likely due to the predicted increased 'in combination' recreational pressure that would result from the housing proposals in the respective local plans.
3. The in combination scale of development, more than 68,000 planned new homes within 6.2 km of the EFSAC, is very significant, given the already significant visitor pressure on the Forest. Direct additional management of recreational pressure within the Forest, therefore, is considered essential to prevent adverse impacts.
4. The local plans need to provide effective mitigation measures and ensure in perpetuity funding for the mitigation, underscored by policy. The in combination scale also requires local authorities to tackle the issue collectively as competent authorities. To prevent adverse impacts from recreation, the mitigation should re-direct pressure away from the EFSAC through provision of suitable alternative natural greenspaces (SANGS) and/or should provide mitigation measures within the EFSAC itself.
5. The report below covers only these latter within-Forest measures and follows from the detailed report to your Committee on November 2020 (SEF 27/20b) on costed mitigation measures proposed for a Strategic Access Management

& Monitoring Strategy (SAMMS) considered appropriate for the Forest and, more particularly, the EFSAC. The list of measures presented were to form the basis of negotiation with Natural England (NE) and the main local authorities within the Zol.

6. Following your Committee's approval of the SAMMS proposals in November 2020 (Report SEF 27-20b – see *Background Papers* below), negotiations on these and the mechanisms for their implementation began in January 2021, with the local authorities meeting together as competent authorities at the EFSAC Oversight Group, chaired by NE with the Greater London Authority (GLA) as observer.
7. Seven local authorities, each contributing >2% of visitors to the EFSAC within the 6.2km Zol, were involved initially at the EFSAC Oversight Group but as Harlow District Council is not bringing forward any development within the Zol it is not a partner in the proposed Agreement (Appendix 1 – see Schedule 2, paragraph 3.4).
8. The SAMMS proposals put forward for negotiation were initially costed to cover a range from £17M to £63M for either 25-year or 125-year in perpetuity periods, respectively (Report SEF 27-20b – see *Background Papers* below). These proposals have been the subject of analysis by NE to ensure compliance with the Habitats Regulations and the extensive case law on acceptable mitigation measures, and subsequently subjected to lengthy consideration by the competent authorities.

Current Position

9. As a result of the 12-months of negotiations and deliberations amongst the six local authorities, NE, the GLA and your officers, the SAMMS proposals were refined and a number of proposed measures were deemed non-compliant with Habitats Regulations mitigation, including some habitat restoration work that was considered not to directly address adverse impacts from the likely increase in recreational pressure. In addition, some costs were considered to be not proportionate with the likely *uplift* in visitor pressure from the increased housing, which the mitigation measures are designed specifically to address.
10. Of the Forest-wide measures originally proposed in November 2020, 5 were removed, including:
 - an apprentice role,
 - bicycle hire scheme and
 - the development by consultants of a visitor masterplan.
11. The percentage contribution to the repair and maintenance of the surfaced tracks was also amended in the light of the revised housing number calculations. However, an additional annual cost was accepted for the management and maintenance of unsurfaced (natural) paths.

12. In addition, the costs of the SAC Ambassador posts were added to the Forest-wide items and the costs of these posts were revised to reflect current salary level and overheads for posts at the proposed grade at the City Corporation. The costs of the Mitigation Strategy Development Officer (MSDO) were revised upwards to reflect the current salary and on-costs for the proposed officer grade. In total there are four new officer posts proposed, to be employed by the City Corporation for the SAMM Strategy.
13. The costs for the three visitor hubs, lying within the EFSAC, at High Beach, Chingford and Leyton Flats, were similarly examined and revised. Your officers were involved in detailed discussions on all revisions and took guidance from both NE and a specialist consultant on case law around mitigation measures.
14. The issue of in perpetuity was resolved at a minimum of 80 years, following legal advice to a number of the local authorities and further guidance from NE. As a result, the costs of the mitigation measures that had been calculated for a range covering 25 years to 125 years (see paragraph 8 above and Report SEF 27-20b in *Background Papers*) were revised for this new in perpetuity period. The revised proposals, their rationale and the costs for 80-years in perpetuity are included in the draft EFSAC SAMMS Partnership Agreement at Schedule 1 (see **Appendix 1** of this report).
15. The role of the City Corporation as The Conservators of Epping Forest was discussed and it was agreed, following legal advice from the City Solicitor, that as the Delivery Body for SAMMS measures, the City Corporation should be a signatory to the EFSAC SAMMS Partnership Agreement. This would make the City Corporation a *party* to the Agreement but not a *partner* authority, as the partnership is the responsibility of the competent local authorities. As a proposed party to the Agreement, your officers, with City Solicitor's and Chamberlain's advice, have contributed in detail to the main text and also to the Schedules of the Agreement, particularly Schedules 1 and 3 (see **Appendix 1**)
16. Governance issues are dealt with in the main body of the Agreement. Financial management of the tariffs and the transfer of monies to the City Corporation as the Delivery Body are covered in Section 6 and Schedule 3.
17. The Terms of Reference for the EFSAC Oversight Group, which from now onwards would be referred to as the Epping Forest SAMM Strategy Technical Oversight Group, are set out in Schedule 4 of the Agreement (**Appendix 1** to this Report).
18. The six local authorities will be considering the Agreement for approval at their respective Committees and/or Cabinets in the next two months.

Proposals

19. The SAMMS package of mitigation measures presented in Schedule 1 of the attached draft EFSAC SAMMS Partnership Agreement has been significantly

modified through review and discussions at the SAC Oversight Group in the last year. NE advised that certain projects should be removed because they did not fit the strict criteria under the Habitats Regulations, and its accompanying substantial case law, for adverse impact mitigation from new developments. The package of measures amounts currently to over £24M across 80 years and it is proposed that these be accepted, subject to further development of detailed implementation plans, regular monitoring of their effectiveness and annual review at the SAC Oversight Group.

20. It is further proposed that the City Corporation as Conservators of Epping Forest should be a signatory to the proposed SAMMS Agreement given that it, by necessity, must be the Delivery Body for any mitigation on Forest Land. The arrangements to be set out in the SAMMS Agreement are broadly (i) for the competent authorities (“Partners”) to levy sums from housing developers (in connection with the grant of planning permission) for mitigating impacts and making appropriate recreational provision at the Forest to address increased use; (ii) for those funds to be passed to the City of London Corporation as Conservators of Epping Forest and “Delivery Partner”; and (iii) for the City Corporation to manage and expend those funds in carrying out the mitigation measures and by investment with the aim of providing an endowment to generate sufficient income to provide the measures in perpetuity (including their maintenance and replacement).
21. It is proposed that the monies transferred to the City Corporation are ring-fenced in an account to be managed by Chamberlains for the sole use of the SAMM Strategy, with the potential to explore the creation of an additional endowment fund, subject to approval by Members, as required. The details of the transfer arrangements are set out under Schedule 3 of the Agreement (**Appendix 1**) with account details redacted.

Options

22. In respect of the proposals above, authority is sought from your Committee to adopt Option 1 below. The options are as follows:
23. **Option 1:** To approve the proposals set out above in paragraphs 19 - 21, including the acceptance of the role as the Delivery Body for the Agreement and as a signatory and party to the Agreement and the resulting formal role in the Epping Forest SAMM Strategy Technical Oversight Group **This option is recommended.**
24. **Option 2:** To reject the SAMMS proposals and governance, finance and in perpetuity arrangements and to pursue further negotiations and seek further amendments with NE and the competent authorities. **This option is not recommended.**
25. **Option 3:** To refuse to engage any further with the SAMMS mitigation and request that all mitigation should take place through the provision of alternative sites only. Given the lack of greenspace options within London Boroughs this option would not be acceptable to nor practicable for the local authorities or Natural England. It is unlikely to be considered as a reasonable

standpoint in the ongoing local plan examination processes and would most likely result in a loss of influence on future development control issues. See also Paragraph 44 below on *Charity implications*. **This option is not recommended.**

Key Data

26. More than 68,000 new residential units are planned to be built within 6.2km of the Epping Forest SAC boundaries over the next 15 years, as a result of the surrounding Local Plans' development policies.
27. The proposed SAMMS mitigation measures, to be implemented within the Forest's SAC boundaries, amount to a financial package of over £24M across 80 years.
28. The measures involve the employment of four new posts to manage the SAMM Strategy. These posts would be in the employment of the City Corporation as the Conservators of Epping Forest to ensure the implementation and long-term management of the SAMM Strategy.
29. There are six local authorities that are partners to the proposed Agreement, acting in their capacities as competent authorities under the Habitats Regulations

Corporate & Strategic Implications

30. The recommendations of this report support the Corporate Plan, with particular reference to the following aims:
 - a. **Contribute to a flourishing society**
 - i. People enjoy good health and wellbeing
 - ii. Communities are cohesive and have the facilities they need.
 - b. **Shape Outstanding Environments**
 - i. We inspire enterprise, excellence, creativity and collaboration
 - ii. We have clean air, land and water and a thriving and sustainable natural environment
 - iii. Our spaces are secure, resilient and well maintained.
31. The report supports the Open Spaces Business Plan as follows:
 - a. **Open Spaces and historic sites are thriving and accessible.**
 - i. Our open spaces, heritage and cultural assets are protected, conserved and enhanced
 - ii. London has clean air and mitigates flood risk and climate change
32. Strategic implications: the engagement by your officers in this SAMMS mitigation process and in formulating the Agreement with NE and the local authorities is consistent with Outcomes 11 and 12 of the Corporate Plan. Outcome 11 states that: "*We will have clean air, land and water and a thriving and sustainable natural environment*" is met. Outcome 12 states that: *Our spaces are secure, resilient and well-maintained. Build resilience to natural*

and man-made threats by strengthening, protecting and adapting our infrastructure, directly and by influencing others.

33. Financial Implications: Financial arrangements for managing the tariff income for SAMMS are covered in Section 6 and Schedule 3 of the draft EFSAC SAMMS Partnership Agreement
34. All these mitigation costs would need to be funded through developer contributions or other funding mechanisms, chosen and approved by the participating local authorities as the competent authorities, with in perpetuity funding agreed as 80 years minimum on legal advice provided to the local authorities and guidance from Natural England.
35. Resource implications: regular attendance by your Epping Forest officers will be required at the SAC Oversight Group and recruitment of the new posts to be funded by the Agreement will also need to be completed during the near future, should the Agreement be approved by all parties. However, for the implementation and management of the SAMM Strategy this additional work will be covered by the new posts to be appointed, including the Mitigation Strategy Delivery Officer (MSDO) and the SAC Ambassadors (see Schedule 1 of the Agreement at this report's **Appendix 1**). Assistance for the Chamberlain to manage the additional auditing and SAMMS budget reporting would be provided through the MSDO although there may in future be a requirement for an additional part-time post, which would need review in the first year of the Agreement.
36. Legal implications: These are contained in the body of this report and the previous report (SEF 27/20) in terms of the Habitats Regulations. Legal issues in relation to the appended EFSAC SAMMS Partnership Agreement have been examined. Further legal advice from the City Solicitor would be taken as part of the delegated authority sought in this Report's recommendations.
37. Property implications: The Local Plans of the surrounding authorities set out how and where land and property will be used into the 2030s. It is important to the City Corporation's stewardship of the Forest to protect the Forest from any likely adverse impacts of development while having regard to opportunities for the best use of property and land for operational purposes.
38. Risk implications: there is a risk that the mitigation strategy or the apportionment of costs across each local authority might be challenged by judicial review or at local plan examinations-in-public. However, this coordinated, multi-authority assessment of the mitigation measures with GLA oversight, combined with NE guidance based on many similar successful, long-running mitigation strategies for other internationally-protected sites, should significantly minimise the risk of any successful challenge.
39. Equalities & diversity: equality impact assessments would be carried out ahead of the installation of any new infrastructure on the Forest (e.g. path surfacing) under the SAMMS Agreement and equalities assessments would also be carried out in the visitor surveys proposed. Recruitment of the new

posts would be subject to equalities assessment as required by the City Corporation recruitment process.

40. In addition, equality impact assessments of Local Plans and associated or incorporated documentation (e.g. SAC Mitigation Strategy) would be undertaken by the local authorities as the plan-making bodies and could be reviewed at meetings of the EFSAC Oversight Group.
41. Climate implications: no direct implications arise from this proposed Agreement or the mitigation measures, but the measures should improve the resilience of the EFSAC to withstand increasing recreational pressures and the additional soil compaction and erosion that might otherwise result.
42. Security implications: none
43. Charity implications: Epping Forest is a registered charity (number 232990). Charity Law obliges Members to ensure that the decisions they take in relation to the Charity must be taken in the best interests of the Charity.
44. The Charity has clear obligations to protect the Forest under its founding legislation and, through subsequent legislation requirements, to similarly conserve the SSSI and SAC. While the SAC SAMMS Partnership Agreement arrangements will help residential developers to acquire planning consents, it is in the clear interest of the Charity to work collaboratively with the competent authorities, to prevent the adverse impacts of the inevitable increased recreational pressures on the EFSAC.

Epping Forest Consultative Committee

45. A preliminary report on the outcome of the negotiations at the SAC Oversight Group was presented to the Consultative Committee in October 2021, advising the representatives of the direction of negotiations, the 80-year in perpetuity decision and the approximate revised total of mitigation funding over that 80-year period. A summary of the revised Schedule 1 measures was also provided with that report. No substantive comments were received at or subsequent to the Consultative Committee meeting.
46. The Consultative Committee had received the full SAC proposals, with appended Land Use Consultants report, in November 2020 and had been fully appraised of the Habitats Regulations Assessment process.

Conclusions

47. After 12 months of discussions and negotiations at the SAC Mitigation Oversight Group, the SAMMS package of measures has been agreed and forms Schedule 1 of the proposed draft EFSAC SAMMS Partnership Agreement. The measures are costed over 80 years as the minimum period for in perpetuity mitigation for the local plans that has been agreed in this case.

48. The City Corporation, as owners and Conservators of Epping Forest, would need to be the Delivery Body for the proposed measures and, as such, in consultation with the City Solicitor, it was agreed that it should be a signatory and party (but not partner) to the proposed EFSAC SAMMS Partnership Agreement.
49. The governance and finance structures have also been agreed, with advice and guidance from Natural England, and are set out in the draft EFSAC SAMMS Agreement and its Schedules.

Appendices

- **Appendix 1:**
Proposed draft Epping Forest SAC SAMM Strategy Partnership Agreement

Background Papers

- Report to Epping Forest Consultative Committee (SEF47/21): EFSAC Mitigation for Local Plans: on-site SAMM Proposals progress and update. 20th October 2021
- Report to Epping Forest & Commons Committee (SEF27/20): *EFSAC Mitigation for Local Plans: on-site SAMM Proposals*. 16th November 2020

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Epping Forest
Environment Department
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DATED 2021

Epping Forest District Council

and

London Borough of Enfield

and

London Borough of Newham

and

London Borough of Redbridge

and

London Borough of Waltham Forest

and

London Borough of Hackney

and

Mayor Commonalty and Citizens of the City of London

Epping Forest SAC SAMM Strategy

Partnership Agreement

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This agreement is made the day of **DATE** between:

Epping Forest District Council (as partner to the Agreement)

Civic Offices
323 High Street
Epping, CM16 4BZ

London Borough of Enfield (as partner to the Agreement)

Civic Centre
Silver Street
London, EN1 3XA

London Borough of Hackney (as partner to the Agreement)

1 Hillman Street
London, E8 1DY

London Borough of Newham (as partner to the Agreement)

328 Barking Road
London, E6 2RP

London Borough of Redbridge (as partner to the Agreement)

255-259 High Road
Ilford, IG1 1NN

London Borough of Waltham Forest (as partner to the Agreement)

Waltham Forest Town Hall
Forest Road
London, E17 4JF

City of London Corporation (as Delivery Body only)

Guildhall
PO Box 270
London, EC2P 2EJ

RECITALS

- (A) The Parties to this Partnership Agreement are all Local Authorities who have joined together to continue certain activities as a partnership for the purposes set out in this Partnership Agreement (save for the Mayor Commonalty and Citizens of City of London ("the CoL") which joins in this Governance Agreement in its capacity as Conservator of Epping Forest pursuant to the Epping Forest Act 1878 and as Delivery Body pursuant to this Partnership Agreement)
- (B) The Parties wish to co-operate over the implementation of the Epping Forest SAMM Strategy as described in more detail in Schedule 1 ("the Epping Forest SAMM Strategy).
- (C) This Partnership Agreement sets out the relationship between the Parties, the governance arrangements, and the organisation of the work.

IT IS HEREBY AGREED AS FOLLOWS:-

1. DEFINITIONS

1.1 In this Partnership Agreement, the following terms shall have the following meanings:

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| "Background IPR" | means all patents, designs, copyright (including copyright in software), database rights, and any other intellectual property rights excluding Foreground IPR, owned by any of the Parties, in the field and which are necessary for the exploitation of Foreground IPR in accordance with this Partnership Agreement. |
| "Business Day" | means any day other than a Saturday or Sunday or a public or bank holiday in the United Kingdom. |
| "City of London" or "CoL" | Refers to the City of London Corporation, who will act as the Delivery Body for this Strategic Access Management and Monitoring Programme. |
| "Commencement Date" | means the XXX 2022. |
| "Confidential Information" | means all information that is marked as Confidential and that is disclosed by one Party to the others for the purpose of conducting the Project, including, without prejudice to the generality of the foregoing, any ideas; finance; financial, marketing, development or manpower plans; computer systems and software; products or services, including but not limited to know-how and information concerning relationships with other parties and all records, reports, documents, papers and |

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| | other materials whatsoever originated pursuant to this Partnership Agreement. |
| "Delivery Body" | means the body appointed by the parties to run the day-to-day operation of the Project, in this case referred to as CoL throughout this document. |
| "Developer Contribution" | means a payment a developer is required to make to its Local Planning Authority (in compliance with Conservation of Habitats and Species Regulations 2017/1012) in respect of consent for each new dwelling which is likely to have a significant impact on a natural habitat, the amount of which is set out in Schedule 2 of this Agreement |
| "Epping Forest SAC SAMM Strategy" | means the strategy which aims to deliver the mitigation necessary to avoid adverse effects on integrity from the impacts of any net increase in dwellings which will result in an increase of recreational disturbance to Epping Forest Special Area of Conservation thus protecting the site from adverse effects on integrity in accordance with the Programme of Investment and the Project Deliverables and as set out at Schedule 1 and as may be amended by agreement through the mechanisms set out in the clauses of this Partnership Agreement. |
| "Epping Forest Special Area of Conservation" or "Epping Forest SAC" | Epping Forest is a statutory designated site, which is protected under the Habitats Regulations, and which this Strategy is designed to protect. |
| "Foreground IPR" | means all patents, designs, copyright (including copyright in software), database rights and any other intellectual property rights arising as a direct result of and in the performance of this Partnership Agreement. |
| "Developer Contribution" | means a payment a developer is required to make to its Local Planning Authority (in compliance with Conservation of Habitats and Species Regulations 2017 (as amended) in respect of consent for each new dwelling which is likely to have a significant impact on a natural habitat, the amount of which is set out in Schedule 2 of this Agreement |
| "Intellectual Property Rights" | means patents, trademarks, trade names, design rights, copyright (including rights in computer software and moral rights), database rights, rights in know-how and other intellectual property rights, in each case whether registered or unregistered and including applications for the grant of any of the foregoing and all rights or forms of |

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| | protection having equivalent or similar effect to any of the foregoing which may subsist anywhere in the world which expression may be abbreviated to "IPR". |
| "Local Planning Authority" or "LPA" | means the local authority whose duty it is to carry out specific planning functions for a particular area. |
| "Nominated Representative" | means a member/s of staff/other representative appointed by a Partner to attend the Technical Oversight Group meetings. |
| "Qualifying Development" | means each new dwelling which is likely to have a significant impact on the Epping Forest Special Area of Conservation and is required to contribute toward the delivery of SAMMs measures. |
| "Partner" | means a local authority member of the Partnership |
| "Party/Parties" | means a local authority (ies) which is a signatory to this agreement as a member of the Partnership and CoL as Delivery Body. |
| "Partnership" | means the Partners collectively |
| "Partnership Agreement" | Means this Agreement, that has been agreed and signed by the partnership local authorities and the CoL as the Delivery Body |
| "Personnel" | means any employee, director, agent, subcontractor or other person engaged by a Party. |
| "Programme" | means the joint initiative as set out in this Partnership Agreement for securing the Project Deliverables. |
| "Programme of Investment" | means the arrangements established by the Delivery Body and approved by the Technical Oversight Group for the holding, allocation and investment of SAMM Contributions paid to the Delivery Body in accordance with the principles set out in Schedule 3 as may be varied from time to time by agreement between the Parties or by decision of the Technical Oversight Group. |
| "Project Deliverables" | means the measures to be funded by the Partnership (by which the Epping Forest SAMM Strategy aims to deliver the mitigation necessary to avoid adverse effects on integrity from the impacts of any net increase in dwellings which will result in an increase of recreational disturbance to Epping Forest SAC thus protecting the site from adverse effects on integrity) as set out in Schedule 1 (The Epping Forest SAMM Strategy) and as may be varied in agreement between the Parties or by decision of the Technical Oversight Group. |

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| “SAMM” | means Strategic Access Management and Monitoring. These are the measures that will be implemented within Epping Forest SAC to manage and monitor the impacts of visitors. |
| “SAMM Contribution” | means the Developer Contributions received by a Party payable to the Delivery Body in accordance with Schedule 2. |
| “Sustainable Development Co-op Board – Epping Forest SAMMs Partnership Agreement sub-Committee” | refers to the body to which any disputes will be escalated, if they cannot be solved through mediation with Natural England. This group will be made up of a Senior Manager from each of the partner Local Authorities. |
| “Technical Oversight Group” | means the chaired group meetings comprised of representatives of the Parties (and such technical experts as the Parties may appoint) whose Terms of Reference are detailed in Schedule 4, with Natural England attending as statutory adviser on the SAC and the Delivery Body attending as an observer, to provide technical advice and reports on Project Deliverables. Chairing of the group to be reviewed and agreed from time to time. |
| “Zone of Influence” | refers to the zone within which any new residential development will have an in-combination impact on recreational pressure on Epping Forest SAC. Currently, as at the signing of the Agreement in 2022, this stands at 6.2km based on data collected in the 2017 and 2019 visitor surveys. |

1.2 Headings contained in this Partnership Agreement are for reference purposes only and shall not be deemed to be an indication of the meaning of the clause to which they relate.

1.3 Where the context so implies, words importing the singular number shall include the plural and vice versa and words importing the masculine shall include the feminine and vice versa.

2. GOVERNANCE ARRANGEMENTS

2.1 The Parties agree that the CoL will be the Delivery Body and authorises it to sign agreements in relation to the implementation of the agreed and approved deliverables of the SAMM programme. To optimize the function of the Partnership, the Parties shall permit the Delivery Body to procure external services in accordance with the Public Contracts Regulations 2015 and the Delivery Body’s internal Contract and Procurement Rules (as set out in the ‘City of London Procurement Code Part One: Rules’ attached at **Appendix XX**, any changes to these Rules will be communicated by the Delivery Body to the Technical Oversight Group). The Delivery Body will provide financial systems and processes to enable the efficient and transparent implementation of the Epping Forest SAMM Strategy. The Delivery Body will provide the Technical Oversight Group with regular business plans and financial statements. This should include a year-end statement of account for the financial reporting period 1st April – 31st March and be provided by 30th September each year.

2.2 The CoL as the Delivery Body will submit a Programme of Investment, with input from and for approval by the Technical Oversight Group. The Programme of Investment shall be reviewed and amended in writing from time to time as the Parties consider appropriate and as may be agreed by the Technical Oversight Group. Further financial details can be found in Schedule 2.

2.3 The parties shall agree an allocation formula for the SAMMs Contributions across the partners to be collected from all relevant development for the benefit of the Partnership.

2.4 The Parties acknowledge their intention that Natural England as statutory adviser would be requested to continue to take on the responsibility of organising the Technical Oversight Group, and chairing meetings that take place unless alternative agreements are made or should Natural England review its involvement.

3. PURPOSE OF THE PARTNERSHIP

The purpose of the Partnership is:

- to specify the organisation of the work between the Parties in implementing the Programme and to set out the rights and obligations of the Parties;
- ensure the implementation of the Programme in accordance with the SAMM Delivery Flowchart at Schedule 5 and the Epping Forest SAMM Strategy at Schedule 1 to produce the Project Deliverables as described in Schedule 1; and
- establish and adhere to the governance structure set out in this Partnership Agreement to ensure the Project is delivered.

4. COMMENCEMENT AND DURATION

4.1 This Partnership Agreement shall commence on the Commencement Date. A review of the Agreement shall be undertaken and completed within five years of the Commencement Date. Any changes to this Agreement, as a result of the review, may be agreed in writing between all the parties.

5. OVERRIDING CONDITIONS

5.1 All Parties have a responsibility to contribute towards and properly perform their roles and responsibilities in accordance with this Partnership Agreement and the Epping Forest SAMM Strategy as detailed in Schedule 1.

5.2 It is the intention that the Partners shall be responsible and liable in equal shares for all legal, professional and financial advice procured under this Partnership Agreement, including by the Technical Oversight Group.

5.3 The Partners shall provide a forecast of annual income to the Delivery Body and Technical Oversight Group by 31st December each year based on the number of qualifying dwellings that were commenced in the preceding 1st April – 31st March reporting year, in order to inform the programme of work for the next financial year.

5.4 With regard to responsibility and liability for shared costs, the SAMM contributions are detailed in Schedule 2 of this Agreement. If Parties leave or join the Partnership, costs will be recalculated, with the amount/s to be determined at that time having had regard to the principles applied to the apportionment of those shared costs as they relate to mitigating any adverse effects on the Epping Forest Special Area of Conservation.

6. PROJECT MANAGEMENT

6.1 Technical Oversight Group

The details of the Technical Oversight Group including purpose, membership, governance, functions and procedures are set out in the Technical Oversight Group Terms of Reference at Schedule 2 to this Partnership Agreement.

6.2 Responsibilities of the Technical Oversight Group

6.2.1 Project Oversight

The Technical Oversight Group shall be responsible for ensuring the delivery of the Project Deliverables through the Delivery Body and to this end will keep the proposals for implementing the Project, and progress towards meeting it, under review.

6.2.2 Appointment of Delivery Body

6.2.2.1 The Partner Authorities hereby appoint the CoL as the Delivery Body for the Epping Forest SAMM Strategy. The Delivery Body will have responsibility for a Programme of Investment and the day-to-day management and implementation of the Project and of the agreed Project Deliverables (subject to the receipt of the SAMM Contributions and availability of SAMM Contributions for expenditure on the Project Deliverables in accordance with Schedule 2 and the Programme of Investment). The Delivery Body will hold and/or invest the SAMM Contributions paid to it in accordance with Schedule 3 and report to the Technical Oversight Group in accordance with Schedule 3 and Clause 2.1 above).

6.2.2.2 The cost of funding the works of the Delivery Body will be met by the SAMM Contributions. The Delivery Body will not be expected to fund the work of the Delivery Body or the Programme of Investment or the Project Deliverables from its own resources.

6.2.2.3 For the avoidance of doubt the breakdown of the proposed measures and costs of the strategy will be set out in Schedule 1 and this shall include the professional and administrative costs incurred by the Delivery Body in undertaking its responsibilities under this Agreement, including the responsibilities relating to financial systems, processing, accounting, business planning and reporting in Clause 2.1 of this Agreement and its responsibilities in respect of the Programme of Investment. The Partners shall transfer money to the Delivery Body in accordance with the Terms set out in Schedule 3.

6.2.3 Financial Management

6.2.3.1 The Partners shall be responsible for holding and administering the SAMM Contributions until such time as they are paid to the Delivery Body (as under the Terms of Schedule 3).

6.2.3.2 The SAMM Contributions must be available to spend on or invest for the purposes of the Project Deliverables (subject to and in accordance with Schedule 1) and will be sent every six months (on 28th February and 31st August) from each Party to the Delivery Body unless otherwise agreed between the Party and the Delivery Body. Each Partner will be responsible for monitoring contributions received and forecasting their future SAMM Contribution income in accordance with Schedule 2 to this agreement.

6.2.3.3 The Technical Oversight Group may choose to take financial advice from third parties as required.

6.2.3.4 SAMM contributions will be index linked. The Programme of Investment and the Project Deliverables will be reviewed each year in terms of costings. For physical measures this shall be in line with the most up to date version of the Spon's External Works and Landscape Price Book (or other industry recognised standard in its absence). Staff costs as set out in the SAMM Strategy will be increased in line with any annual pay increase and changes to pension and national insurance contributions required by the Delivery Body. The increase in the SAMM Contribution will be agreed and set in March each year and brought into effect on the 1st of April each year.

6.2.3.5 The Partners agree to levy a SAMM Contribution in accordance with Schedule 2 of this Partnership Agreement on all qualifying dwellings.

6.2.3.6 The Partners agree that they will pay the SAMM Contribution to the Delivery Body in accordance with Schedules 2 and 3 upon being satisfied that the development to which the qualifying dwelling or dwellings relates to has commenced in accordance with the relevant Permission and legal obligations or any other local authority funding mechanism which equates to the financial value that would be generated using the tariff.

6.2.3.7 Where there is a shortfall / deficit in the SAMM Contribution as a result of the non-collection of a relevant contribution by a Party to this agreement it will be the responsibility of the individual Partner Authority to make good such shortfall and not the Delivery Body or other Partner Authorities. Such liability will only arise where the individual partner authority in question is not making reasonable endeavours to pursue the non-payment from the party who has obligation to pay the Partner Authority.

6.2.3.8 In the event the SAMM Contribution is not spent or invested in accordance with the requirements of this Agreement by the Delivery Body and a refund is required then the Delivery Body will be liable to repay the monies to Partners in line with the percentage apportionment set out in Schedule 2.

6.2.3.9 The Technical Oversight Group, reviewing regular advice from the Delivery Body in relation to the appropriate and realistic timing of Project Deliverables, will be responsible for determining the correct apportioning between spending and investment of the SAMM Contributions, in line with the Programme of Investment and Project Deliverables (as outlined in Schedule 1). In the case of disagreement, Natural England, as a neutral party, would be requested to intervene to mediate the deliberations and propose a resolution for decision by the group. If a decision cannot be reached, this will be escalated, in line with the measures set out in Section 15.

6.2.4 Publications and Press Releases

6.2.4.1 The Technical Oversight Group in discussion with the Delivery Body shall decide procedures for dissemination of publications and press releases, joint or otherwise, relating to the Project.

6.3 Technical Oversight Group Meetings

6.3.1 The Technical Oversight Group shall meet on a quarterly basis in accordance with the Technical Oversight Group Terms of Reference at Schedule 4. but the frequency may be reduced at any time in accordance with the Technical Oversight Group Terms of Reference. Meetings will operate under the conditions outlined in Schedule 4.

6.4 Responsibilities of Individual Members of the Technical Oversight Group

6.4.1 In addition to the Technical Oversight Group's collective responsibility, individual members of the Technical Oversight Group will have specific responsibilities as determined by the Technical Oversight Group from time to time as set out in the Terms of Reference at Schedule 4.

7. PROJECT RESOURCES

7.1 Allocation

The total SAMM Contributions to be paid by the Partner to the Delivery Body will be set out in Schedule 2, and are to be adopted by the Partners as a material consideration in the determination of planning and development related applications.

7.2 Invoicing/Claims

7.2.1 Any changes to the Delivery Body's Contract and Procurement Rules will be reviewed and the earliest opportunity by the Technical Oversight Group to determine if they remain appropriate for the Project Deliverables.

8. RESPONSIBILITIES OF THE PARTIES

Performance

8.1 Each Party undertakes to each other Party to perform and fulfil on time the tasks assigned to it by the Technical Oversight Group and all other of its obligations under this Partnership Agreement.

8.2 Each Partner hereby undertakes to supply promptly to the Delivery Body all such information or documents as the Delivery Body and the Technical Oversight Group need to fulfil obligations pursuant to this Partnership Agreement.

8.3 Each Partner undertakes to each other Partner and to the Delivery Body to:

8.3.1 notify each of the other Parties as a Party becomes aware of any significant delay in performance; or a significant change in a Parties ability to meet its funding and other commitments under this Partnership Agreement.

8.3.2 inform other Parties of relevant communications and planning decisions it receives from third parties in relation to the Project e.g. planning appeals and Local Plan examination Inspector correspondence.

8.4 Each Party shall use all best efforts to ensure the accuracy of any information or materials it supplies hereunder and promptly to correct any error therein of which it is notified.

8.5 Subject to clause 6.2.4 of this Partnership Agreement each Party agrees not to issue any press releases or other such publicity materials relating to the work of the Partnership without obtaining prior approval from the other Parties.

Warranties and Undertaking

8.6 Each Partner warrants that under its contractual relationships with each of its Personnel, any intellectual property rights arising out of or relating to work done by the Personnel for the Party will vest in such Party and that the Personnel will have no right, title or interest, whether legal or beneficial, in any such intellectual property rights. A Partner shall, if so required by the Technical Oversight Group, produce written evidence of this to the Technical Oversight Group signed by its Personnel.

8.7 Each Partner acknowledges that it is and shall remain liable for the consequences of any failure on its part or on the part of its Personnel to fulfil the tasks and work packages assigned to it under this Partnership Agreement and shall accordingly:

- 8.7.1 Procure and maintain its own insurance, with insurers of good repute, to cover its own liabilities and those on behalf of its Personnel;
- 8.7.2 Comply and assist the Partnership, the Technical Oversight Group and the Delivery Body in complying with all relevant statutes, laws, regulations and codes of practice relating to its tasks and work packages from time to time in force;
- 8.7.3 Comply with all recommendations and requirements of its insurers; and
- 8.7.4 Indemnify, keep indemnified and hold harmless the other Parties from and against all costs (including the costs of enforcement), expenses, liabilities, injuries, direct, loss), damages, claims, demands, proceedings or legal costs (on a full indemnity basis) and judgments which they incur or suffer as a result of a breach of this Partnership Agreement or negligent acts or omissions or willful misconduct of the Party and/or its Personnel including without limitation any resulting liability the Partnership has to the funder or to any third party.

8.8 Each Party agrees and undertakes at its own expense to make the Nominated Representative available to attend the Technical Oversight Group.

8.9 Each Partner shall provide the Technical Oversight Group with statements of SAMM Contributions received every six months.

9. ADDITION OF PARTIES TO THE PARTNERSHIP

9.1 Other local authorities may be invited to join the Partnership following any reviews of the Zone of Influence of Epping Forest SAC (which would be determined by further visitor surveys run to the specifications, methodology and analysis approved by Natural England and agreed by the parties), only by the unanimous decision of the Parties and on the condition that the new local authority becomes a Partner to this Partnership Agreement.

10. REMOVAL OR WITHDRAWAL OF PARTIES FROM THE PARTNERSHIP

Removal of Parties

10.1 Without prejudice to any other rights or remedies open to the Partnership, the Technical Oversight Group may, after a two-thirds majority vote of the full Technical Oversight Group meeting in favour of termination, ratified and via a written notice served on the Party, terminate a Party's membership of the Partnership, if the Party:

- 10.1.1 Is in material breach of any of the terms of this Partnership Agreement and, where the breach is capable of remedy, the Party fails to remedy such breach within 30 days' service of a written notice specifying the breach and requiring it to be remedied; or
- 10.1.2 In the opinion of a majority of the Technical Oversight Group, is incompetent, commits any act of gross or persistent misconduct and/or neglects or omits to perform any of its duties or obligations under this Partnership Agreement; or
- 10.1.3 Fails or refuses after written warning from the Technical Oversight Group to carry out the duties or obligations reasonably and properly required of it under this Partnership Agreement; or
- 10.1.3.1 ceases to operate its business or undertaking;

10.1.3.2 provides the Technical Oversight Group with any false or misleading information with regard to its ability to perform its duties or obligations under this Partnership Agreement; or

10.1.3.3 has done anything which brings or might reasonably be expected to bring the Parties or the Project into disrepute or otherwise damage other contractors, employees, agents, customers, other business associates or the general public including, but not limited to, committing an act of fraud or dishonesty, whether or not connected with the Project.

10.1.3.4 Any monies already collected from the party will be held by the Delivery Body, and a review of the SAMM contributions going forward will be undertaken by the Technical Oversight Group alongside the Delivery Body.

11. DATA MANAGEMENT

Data Collection

11.1 In the course of the Project, each Party, as well as the Delivery Body, may be involved in the production and collection of data such as surveys or questionnaires. Data produced or collected by any Party which that Party considers relevant to the Project will be notified to the Technical Oversight Group and made available to the other Parties on request. Each Party agrees to ensure that all data made available pursuant to this clause is anonymised where possible, and where this is not possible and personal data is processed to ensure the personal data is accompanied by any necessary consents. It is acknowledged by the Parties that where personal data is shared pursuant to this clause, prior to gathering the data, the data subject must be expressly informed in writing that the data will be shared.

Data Protection

11.3 Each Partner agrees to sign a Data Controllers Agreement and a Data Processing Agreement prior to processing personal data for the purposes of the Project, in the event that any personal information needs to be shared or processed between Partners. The CoL as Delivery Body would not be involved in processing or retaining any personal data related to the SAMM Programme or its Project Deliverables

Freedom of Information

11.4 The Partnership acknowledge that the Partners are all subject to the requirements of the Freedom of Information Act 2000 (FOIA) and the Environmental Information Regulations 2004 (EIR) and they shall assist and cooperate with each other, and the CoL as Delivery Body shall also assist as required, to enable them to comply with their information disclosure obligations.

11.5 A Partner in receipt of a request for information shall be responsible for determining in its absolute discretion and notwithstanding any other provision in this Partnership Agreement or any other contract whether the confidential and /or any other information is exempt from disclosure in accordance with the (FOIA) or the (EIR).

12. CONFIDENTIALITY

12.1 Each Party hereby undertakes to the other Parties that it shall procure that its employees, agents and sub-contractors shall:

12.1.1 Keep confidential all information of a confidential nature (whether written or oral) concerning this Partnership Agreement and the business affairs of another Party that it shall

have obtained or received as a result of the discussions leading up to or entering into or performance of this Partnership Agreement (the “Information”);

12.1.2 Not without the prior written consent of the relevant other Party disclose the Information either in whole or in part to any other person save those of its employees, agents and sub- contractors involved in the implementation or evaluation of the Project who have a need to know the same for the performance of their duties;

12.1.3 Use the Information solely in connection with the implementation of the Project and not otherwise for its own benefit or the benefit of any third party.

12.1.4 These provisions above shall not apply to the whole or any part of the Information to the extent that it can be shown by the receiving Party to be:

12.1.4.1 Known to the receiving Party prior to the date of this Partnership Agreement and not obtained directly or indirectly from any other party; or

12.1.4.2 Obtained from a third party who lawfully possesses such Information which has not been obtained in breach of a duty of confidence owed to any party by any person; or 12.1.4.3 In the public domain in the form in which it is possessed by any other party other than as a result of a breach of a duty of confidence owed to such other party by any person; or

12.1.4.4 Required to be disclosed by legal process, law or regulatory authority.

12.2 Each Party hereby undertakes to the other Parties to make all relevant employees, agents and subcontractors aware of the confidentiality of the Information and provisions of this clause and without prejudice to the generality of the foregoing to ensure compliance by such employees, agents and sub-contractors with the provisions of this clause.

13. INTELLECTUAL PROPERTY

13.1 IPR Warranties

Each Party shall obtain the necessary assignments of Intellectual Property Rights or licences from all staff, agents, or sub-contractors involved in the development and production of the Project Deliverables on its behalf. Each Party warrants to the other Parties that it is the owner of the Intellectual Property Rights in the Project Deliverables, or that it is duly licensed to use the Project Deliverables, and that the use of the content of the Project Deliverables as contemplated in this Partnership Agreement does not infringe any Intellectual Property Rights or other proprietary or rights of any natural or legal person.

13.2 Background IPR

All Background IPR used in connection with this Partnership Agreement shall remain the property of the Party introducing the same or any other third parties. Each Party shall take responsibility for ensuring that all necessary permissions have been sought to use Background IPR.

13.3 Foreground Rights

All Foreground IPR arising from this Partnership Agreement shall belong to the Party generating the same.

13.4 Accuracy

Each Party shall use reasonable endeavours to ensure the accuracy of any information or materials that it supplies to the other Parties under this clause and shall promptly correct any error therein of

which it is notified. The donating Party will provide no warranties to recipient Parties in respect of the information and materials, and the recipient Parties shall be entirely responsible for the use to which they put such information and materials.

13.5 Access Rights

13.5.1 Each Party hereby grants to the other a royalty-free, non-exclusive, worldwide, irrevocable, assignable, perpetual licence to use its (and third parties) Background IPR and Foreground IPR for the purpose of performing their part of the Project.

13.5.2 Each Party hereby indemnifies the other Parties against any liabilities, loss, claims or expenses brought against or incurred as a result of its use of and/or sale of products containing the other Parties' Background IPR and/or Foreground IPR.

13.5.3 After completion of the Project all Parties shall continue to have the right to use their Foreground IPR at no cost for the purposes of exploiting the materials in the carrying out of their usual educational activities.

13.5.4 After completion of the Project the Partnership shall provide on request, to any educational institution (as defined by s.65 (5) of the Further and Higher Education Act 1992), a free copy of the Project Deliverables subject to a royalty free non-exclusive perpetual licence to use the Project Deliverables for non-commercial purposes.

13.5.5 Use of Background IPR and/or Foreground IPR by third parties other than Parties, and by educational institutions (as defined by s.65(5) of the Further and Higher Education Act 1992) for commercial purposes, shall be at the discretion of the Parties owning such Background IPR and/or Foreground IPR.

13.5.6 Each Party hereby grants to the Delivery Body a royalty-free, non-exclusive, worldwide, irrevocable, assignable, perpetual licence to use all Background IPR and Foreground IPR of the Parties for the purpose of performing its obligations under Clause 2 and in order to licence to the Higher Education Funding Council for England (HEFCE) the rights as set out in the (HEFCE) Licence.

13.5.7 Each Party hereby indemnifies (HEFCE) against any liabilities, loss, claims or expenses brought against or incurred as a result of its use of the Deliverable in accordance with the (HEFCE) Licence.

14. TERMINATION

14.1 This Agreement may be terminated at any time by the unanimous written agreement of the Parties where there is a material change in circumstances, policy, legislation which renders the Partnership unworkable or where it is no longer required for the purpose for which it was established.

14.2 The termination of this Partnership Agreement, howsoever arising, is without prejudice to the rights, duties and liabilities of the Parties accrued due prior to termination and in relation to the protection of the Special Area of Conservation as determined by the Habitat Regulations (as amended) or any successor legislation. The provisions in this Partnership Agreement which expressly or impliedly have effect after termination shall continue to be enforceable notwithstanding termination. In the event of termination such of the SAMMs Contribution as shall have been paid to the Delivery Body shall remain with the Delivery Body for expenditure in accordance with this

Agreement or otherwise for the protection of the Epping Forest Special Area of Conservation from increased recreational disturbance.

15. GOVERNING LAW AND DISPUTE RESOLUTION

15.1 This Partnership Agreement shall be governed by and construed in accordance with English law and the Parties irrevocably agree that any dispute arising out of or in connection with this Partnership Agreement will be subject to and within the jurisdiction of the English courts.

15.2 All Parties shall each be under a general obligation to use all reasonable endeavours to negotiate in good faith and to settle amicably any dispute of whatever nature arising in connection with this Partnership Agreement. If the Parties are unable to resolve a dispute(s) in an informal manner the dispute will be escalated by referring to the Cooperation for Sustainable Development Board Member Epping Forest SAMMS Partnership Agreement sub- Committee for resolution. This Board will consist of a nominated Senior Manager from each of the signatory LPAs, as listed below:

- Epping Forest District Council – Planning Service Director
- Enfield – Head of Planning
- Newham – Director of Planning and Development/Chief Planner
- Redbridge – Head of Planning and Building Control
- Waltham Forest
- Hackney

15.3 Having followed the procedure set out in clause 15.2 and the dispute in question has not been resolved where the Parties agree that a dispute arising out or in connection with this Partnership Agreement would best be resolved by the decision of an expert, they will agree upon the nature of the expert required and together appoint a suitable expert by agreement.

15.4 Any person to whom a reference is made under Clause 15.3 shall act as expert and not as an arbitrator and his decision (which shall be given by him in writing and shall state the reasons for his decision) shall be final and binding on the parties except in the case of manifest error or fraud.

15.5 Each Party shall provide the expert with such information and documentation as he may reasonably require for the purposes of his decision.

15.6 The costs of the expert shall be borne by the Partners in such proportions as the expert may determine to be fair and reasonable in all circumstances or, if no determination is made by the expert, by the Partners in equal proportions.

16. GENERAL PROVISIONS

16.1 Sole Agreement

Subject to Clause 5, this Partnership Agreement contains all the terms which the Parties have agreed in relation to the subject matter of this Partnership Agreement and supersede any prior written or oral agreements, representations or understandings between the Parties relating to such subject matters. No Party to this Partnership Agreement has been induced to enter into this Partnership Agreement by a statement or promise which it does not contain save that this clause shall not exclude any liability which one Party would otherwise have to the other in respect of any statements made fraudulently by that Party.

16.2 Schedules

The Schedules shall have the same force and effect as if expressly set in the body of this Partnership Agreement and any reference to this Partnership Agreement shall include the Schedules.

16.3 Waiver

No failure or delay by any Party to exercise any right, power or remedy will operate as a waiver of it nor will any partial exercise preclude any further exercise of the same, or of some other right, power or remedy.

16.4 Severability

If any clause or part of this Partnership Agreement is found by any court, tribunal, administrative body or authority of competent jurisdiction to be illegal, invalid or unenforceable then that provision shall, to the extent required, be severed from this Partnership Agreement and shall be ineffective without, as far as is possible, modifying any other clause or part of this Partnership Agreement and this shall not affect any other provisions of this Partnership Agreement which shall remain in full force and effect.

16.5 Force Majeure

No Party will be deemed to be in breach of this Partnership Agreement, nor otherwise liable to the other for any failure or delay in performance of this Partnership Agreement if it is due to any event beyond its reasonable control other than strike, lock-out or industrial disputes but including, without limitation, acts of God, war, fire, flood, tempest and national emergencies and a Party so delayed shall be entitled to a reasonable extension of time for performing such obligations.

16.6 Assignment

Save as permitted for under this Partnership Agreement, neither this Partnership Agreement nor any of the rights and obligations under it may be sub-contracted or assigned by any party without obtaining the prior written consent of the other parties. In any permitted assignment, the assignor shall procure and ensure that the assignee shall assume all rights and obligations of the assignor under this Partnership Agreement and agrees to be bound to all the terms of this Partnership Agreement.

16.7 Variation

This Partnership Agreement may be amended at any time by written agreement of the Parties. No variation to this Partnership Agreement shall be effective unless in writing signed by a duly authorised officer of each of the Parties.

16.8 Notice

Any notice in connection with this Partnership Agreement shall be in writing and may be delivered by hand, pre-paid first class post or Special Delivery post (but not by e-mail), addressed to the recipient at its registered office or its address or as the case may be (or such other address, or as may be notified in writing from time to time).

The notice shall be deemed to have been duly served:

- 16.8.1 if delivered by hand, when left at the proper address for service;
- 16.8.2 if given or made by prepaid first-class post or Special Delivery post, 48 hours after being posted or in the case of Airmail 14 days after being posted (excluding days other than Business Days); provided that, where in the case of delivery by

hand, such delivery occurs either after 4.00 p.m. on a Business Day, or on a day other than a Business Day, service shall be deemed to occur at 9.00 a.m. on the next following Business Day (such times being local time at the address of the recipient).

16.9 Rights of Third Parties

It is agreed for the purposes of the Contracts (Rights of Third Parties) Act 1999 that this Partnership Agreement is not intended to, and does not, give to any person who is not a party to the Agreement any rights to enforce any provisions contained in this Partnership Agreement except for any person to whom the benefit of this Partnership Agreement is assigned in accordance with clause 16.6 (Assignment).

16.10 Counterparts

This Partnership Agreement may be executed in one or more counterparts and any party may enter into this Partnership Agreement by executing a counterpart. Any single counterpart or set of counterparts executed in either case by all the parties shall constitute one and the same agreement and a full original of this Partnership Agreement for all purposes.

**IN WITNESS whereof the Parties hereunto have affixed their Common Seal the day and year first
before written THE COMMON SEAL of XXX Was hereto affixed in the presence of:**

Executed as a Deed by affixing THE COMMON SEAL of XXXX In the presence of:-

Authorised Signatory

..... Mayor

..... Authorised Officer

THE COMMON SEAL of OTHER LOCAL AUTHORITIES

SCHEDULE 1 – Epping Forest SAMM Strategy

1. Background

- 1.1 Epping Forest is London's largest open space, covering 2,400 hectares. Epping Forest Special Area of Conservation (EF SAC) covers 1,600 hectares of Sites of Special Scientific Interest (SSSI) within Greater London and Essex.
- 1.2 The SAC is designated for three Annex I habitats (Northern Atlantic wet heaths, European dry heaths, and Atlantic acidophilous beech forests), as well as one Annex II species (Stag Beetle). The Forest Comprises wood-pasture with habitats of high nature conservation value including ancient semi-natural woodland, old grassland plains, wet and dry heathland, and scattered wetland. The woodland represents one of the largest continuous semi-natural blocks in the country, characterised by groves of over-mature pollards. The plains contain a variety of unimproved acid grasslands uncommon elsewhere in Essex and the London Area. The Forest supports a nationally outstanding assemblage of invertebrates, major amphibian interest and an exceptional breeding bird community. The Forest lies on a ridge of London clay overlain in places by Claygate Beds, and in the highest areas by Bagshot Sand and Pebble Gravel. The varied geology gives rise to a mosaic of soil types from neutral soils to acidic loams and from impervious clays to well-drained gravels. To a large extent the soil patterns have dictated the pattern of vegetation. Historically Epping Forest was managed as wood-pasture through pollarding, which declined during the 19th century and eventually ceased in 1878 under the Epping Forest Act. Recently pollarding has been reinstated in some places.
- 1.3 The Forest is managed by a team of Forest Keepers, grounds and other staff led by a Superintendent. It is patrolled 365 days a year by Forest Keepers whose role is to assist the public to enjoy the Forest safely and protect the Forest from inappropriate damage or abuse. The Forest Keepers are also attested constables and enforce the Epping Forest byelaws. If necessary, this includes prosecuting bylaw infringement cases in the Magistrates Court.
- 1.4 SACs are protected in UK law by the Habitats Regulations (2017)¹. Under the Habitats Regulations, development proposals must not give rise to adverse effects on the integrity of the SAC, either alone or in combination with other plans and projects, and if they are likely to, measures must be secured to remove this impact, otherwise the Competent Authority is obliged to refuse permission (subject to the exception tests set out in Regulation 64 (1)).

¹ The Conservation of Habitats and Species Regulations, 2017

1.5 The legislation sets out that a Habitats Regulation Assessment (HRA) must be undertaken where a land use plan, either alone or in combination, is likely to have a significant effect on an internationally important site. This applies to Local Plans produced by local authorities, as well as Neighbourhood Plans produced by local communities. Such plans set out a broad quantum of housing growth. HRA work must therefore consider the overall impacts of such growth – in combination with neighbouring authorities – and where there are any likely significant effects, adverse effects must be ruled out (subject to the same exception tests mentioned in 1.4).

2 Concerns relating to recreational pressure

2.1 Epping Forest provides an attractive, extensive area of open semi-natural habitat close to London. As such it is a popular destination for recreation and provides an important function as a greenspace. There are 47 car parks and four visitor centres and estimates of visitor use indicate around 4.2million visitors visit the forest each year.² Since Epping Forest was entrusted to the City of London, the provision of the space for public recreation and enjoyment has been a legal obligation and one of the key priorities for the Conservators. There is however a considerable challenge to balance the needs of the high (and growing) numbers of visitors with the natural aspect of the Forest and the nature conservation interest. There are a number of potential ways recreation could have an impact on the nature conservation of the site. These include:

- Eutrophication from dog fouling;
- Trampling/wear, leading to soil compaction, vegetation wear, erosion and damage to veteran tree roots;
- Increased fire risk (and potentially difficulties in access for emergency vehicles if gates etc. are blocked);
- Difficulties in establishing the best grazing management due to interactions between visitors and livestock;
- Direct damage to veteran trees, for example from climbing on them;
- Harvesting, for example fungi, deadwood;
- Disturbance to invertebrates and other wildlife;
- Spread of disease;
- Spread of alien plants;
- Staff time taken away from necessary management due to the need to deal with vandalism, breaches of byelaws etc.; and
- Direct damage and vandalism of infrastructure.

² This figure is from the Management Plan Consultation in 2014.

3 Evidence of Visitor Pressure at Epping Forest

- 3.1 Existing Visitor Survey information held by the Corporation of London relates to work undertaken between 2010 and 2014, when staff and volunteers worked together with specialist consultancy support to undertake a large amount of visitor survey work. The results are set out in annual reports and provide information on overall visitor numbers and the spatial distribution of access within Epping Forest but did not generate home postcodes from a robust sample of visitors.
- 3.2 Due to concerns over the impact of recreational pressure on Epping Forest SAC, Footprint Ecology were commissioned to carry out a Visitor Survey in 2017, and again in 2019. The 2017 Epping Forest Visitor Survey can be found [here](#), and the 2019 survey can be found [here](#), these set out the methodology used for the surveys, as well as the findings arising from it.
- 3.3 A 6.2km boundary extended around the SAC forms the Zone of Influence, this has been based on Visitor Surveys carried out in 2017 and 2019. The Zone of Influence was calculated based on the 75th percentile method, which calculates the distance from which 75% of visits originate from and is a recognised method for strategic solutions nationwide.
- 3.4 The Zone of Influence involves multiple local authorities, of which seven each contribute over 2% of visits to the SAC. Housing delivery will lead to a significant rise in population within the boroughs and districts around Epping Forest SAC. Investigations of the visitor patterns of current residents around the SAC have shown that it is likely that this new population will also use the SAC for recreation. Both local evidence and that from other areas has demonstrated the damaging effects of human disturbance on the nature conservation interest of the site. Without appropriate and proportionate avoidance and mitigation measures, this will damage the features for which the SAC is designated and would be contrary to the Habitats Regulations. The **seven** boroughs which contribute over 2% of visits to the SAC (based on the 2019 visitor survey) are as follows:
 - Epping Forest District Council
 - Harlow District³
 - London Borough of Waltham Forest
 - London Borough of Redbridge
 - London Borough of Enfield
 - London Borough of Newham
 - London Borough of Hackney

³ Harlow District is not party to this governance agreement as it is not bringing forward any development within the 6.2km Zone of Influence.

- 3.5 Due to the large number of local authorities involved and the cumulative nature of the impacts (a result of many individual housing applications), a co-ordinated approach to the mitigation is necessary. A well-established Technical Oversight Group provides the vehicle for joint working between local authorities and other organisations responsible for protection of Epping Forest SAC. The Technical Oversight Group includes Officer representation for each affected Local Authority together with City of London Conservators (as owners and managers of the site) and Natural England.
- 3.6 This has led to the development of this strategic approach encompassing:
 - 1.1 A formal Governance Agreement between the Local Authorities within the Zone of Influence and the City of London as the Delivery Body for the mitigation programme
 - 1.2 A programme of Strategic Access Management and Monitoring (SAMM) measures to mitigate the impact of new development

- 3.7 There is also a need for avoidance measures including Suitable Alternative Natural Greenspace, and a toolkit approach to infrastructure improvements that improve access and capacity of existing greenspaces. This approach is being dealt with by each local authority on an individual basis.

4 SAMM Programme

- 4.1 The City of London Corporation, as Conservators of Epping Forest, commissioned a report in 2020 to undertake a detailed assessment of the Epping Forest Special Area of Conservation. The purpose of the report was to better understand the effects of recreational pressure on the Epping Forest SAC and the measures needed to avoid harm arising from current and predicted future growth in visitors on the Forest. The report provided an in-depth assessment and identified a range of costed measures. The report has provided guidance not only to the Conservators in terms of their responsibilities as the custodians of the Forest on behalf of the landowner (the City of London Corporation) but also to inform the development of this Strategy.
- 4.2 The proposed measures have been reviewed by several local authorities (in their role as competent authorities) and by Natural England (as the government's advisor for the natural environment in England). This has ensured that the measures identified in this Strategy are those necessary focused to mitigate the effects of future development on the Epping Forest SAC. As such they do not seek to address existing issues or include measures that are the responsibility of the landowner. As such the measures in Table 1 below are those for which financial contributions should be secured from all relevant development. The measures are compliant with the Habitats Regulations and accord with paragraph 57 of the National Planning Policy Framework 2021 as being:
 - a) necessary to make the development acceptable in planning terms.
 - b) directly related to the development; and

- c) fairly and reasonably related in scale and kind to the development.
- 4.3 The measures provide comprehensive approach to mitigating the effects of future development. There are three key strands as follows:
- **a site-wide approach** to physically manage additional ‘wear and tear’ on surfaced and unsurfaced tracks and paths, provision of enhancements to wayfinding and interpretation, and the on-going monitoring of ecological conditions and visitor usage;
 - **managing increased use of the three ‘visitor hubs.’** Their facilities act as ‘attractors’ and, as has been evidenced by the Visitor Surveys undertaken in 2017 and 2019, are used on a regular basis by residents. This places focused pressure on these parts of the Forest;
 - **on-going visitor engagement activities** to help raise awareness of the issues facing the Forest, to encourage ‘Forest-friendly’ behaviours (through on-site engagement with visitors and with local resident user groups) and to manage the use of ‘access pressure points’ by encouraging people to use different routes at times when some routes may temporarily be more vulnerable to over-use.
- 4.4 The Strategy also includes Project Manager support for the oversight of the Strategy’s implementation. This includes regular reporting back to the competent authorities to ensure that monies collected are being spent in accordance with the agreed strategy. The day-to-day management of this post will be undertaken by the Conservators and the funding of this post ensures that there is no cost-burden for the organisation recognising that this role is necessary to ensure the proper oversight of the implementation of the Strategy on behalf of the competent authorities.
- 4.5 Account has been taken of the need to ensure that these measures continue to be provided over the longer-term. This reflects the fact that new homes will result in additional visitors on an on-going basis. Consequently, the financial contributions being secured include an ‘in-perpetuity’ factor to ensure that the on-going management and maintenance of the measures is taken into account and is based on an 80 year period. This is considered to appropriately reflect the lifespan of the relevant developments.
- 4.6 The total cost of the proposed SAMM programme is £24,817,468. As detailed in Schedule 2, this sum is to be met through SAMM contributions from the **five** local authorities within 6.2km of the SAC who each contribute more than 2% of visitor numbers to the forest.

Table 1. Proposed Site wide measures and costings.

| Proposal | Detail | Capital cost | Annual Maintenance | 80 Year Cost | Further Comments |
|---|--|---------------------|---------------------------|---------------------|--|
| Physical management of surfaced paths and tracks across other (non hub) SAC areas. | Upgrades to surfaced paths and tracks to reflect expected visitor uplift | £30,000 | £28,500 | £2,310,000.00 | Surfaced network amounts to over 38kms, repaired on a 10year cycle of up to 3800m ² per year to deal with increased need for path maintenance. These costs reflect a 20% proportion of the total cost reflective of the level of visitor uplift expected. Also includes £15,000 for upgrade in surfacing on one of the easy access paths within the forest. |
| Physical management of unsurfaced paths and tracks across other (non hub) SAC areas. | Management of paths that is required to deal with the expected visitor uplift | N/A | £6,000 | £480,000.00 | At least 93km of unsurfaced path network within the forest, as well as 41km of Public Rights of Way through the forest, with these paths either at or near capacity. Annual management of the wear and tear of these pathways is needed, including ditch reprofiling, culverting and vegetation cutting to ensure that they remain useable. As above, these costs represent 20% of the total projected annual cost, in line with the level of visitor uplift expected. |
| Signage at transport nodes- Map and interpretation including installation | Map and interpretation boards at Chingford, Loughton, Theydon Bois and Epping. | £10,000 | N/A | £70,000.00 | Need for greater waymarking at Transport Networks to engage with visitors to the forest. Signs have a 10 year lifespan, so need replacing seven times over 80 years. |
| Interpretation roll out - forest wide | Interpretation boards across the SAC areas | £35,200 | N/A | £246,400.00 | To improve engagement with visitors and greater awareness of Epping Forest SAC and its importance. Costings are given for 22 boards within the SAC. A1 orientation boards (£1,600 |

| | | | | | |
|--|--|--------|---------|-------------|--|
| | | | | | each), max 10-year-lifespan needing replacing seven times over 80 years. |
| Visitor engagement campaigns | Promotional materials to assist in engagement campaigns. | N/A | £10,000 | £70,000.00 | To encourage responsible behaviour of visitors to the forest. As communication methods are changing this will be reviewed by the Technical Oversight Group in terms of effectiveness. |
| Cycle Map | Cycle map to encourage visits. | £2,000 | | £16,000.00 | Costings estimated on the basis that as with visitor engagement this will need to be revisited every 10 years. |
| Mitigation Strategy Delivery Officer (Project Management and field monitoring experience) 19 20 | Overseeing the delivery of the SAMM project and also taking on providing briefing reports where appropriate to the oversight group | | £57,000 | £4,503,000 | CoL Grade E – minimum grade for project managers and those managing teams of staff on technical issues. The salary is the 3 rd of six increments for this grade. Not the starting salary – as it is attempting to average the costs over in perpetuity, when it is expected that most officers would reach the top increment so be paid more than this salary but equally there would be turnover from new starters during the project. Breakdown of Total Cost: £36,070 salary, £4,020 Outer London Weighting, £12,919 on costs, £1,000 annual IT cost, £2,500 share of 2 x vehicle lease between team of 4, £300 annual mobile phone cost, £100 uniform provision and replacement. |
| Visitor surveys (incl for SAC, relevant SANGS and buffer lands) every 5 years | Delivered by external consultants | N/A | | £400,000.00 | Needed to ensure that the governance agreement and mitigation strategy can be reviewed and updated accordingly. |
| Forest Wide Ambassadors | Provision of a ranger service across the SAC. Three rangers will be needed to ensure the full area can be covered, | | £44,500 | £3,515,500 | CoL Grade C – This is the Forest Keepers grade and the basic grade for frontline technical officers and those engaging with the public and local communities. This role would involve |

| | | | | | |
|---|---|--------------------|-------------|-----------------------|---|
| | and to allow for a sufficient rota. Starting in year 2 having been recruited in year one by the MSDO. | | | | both monitoring of recreational impact (which would require a knowledge of data collection) as well as a high level of community engagement skills. The salary is the 3 rd of the six increments for Grade C. It is not a starting salary, as it is attempting to average the costs over an in-perpetuity period – as with the MSDO it is expected that Ambassadors would reach the top increment but that there would also be turnover of staff. Breakdown of Total Costs (per Ambassador): £25,190 salary, £288 pending salary increase Dec 21, £4,020 Outer London Weighting, £10,867 on costs, £1,000 annual IT cost, £2,500 share of 2 x vehicle lease between team of 4, £300 annual mobile phone cost, £100 uniform provision and replacement. |
| Forest Wide Ambassadors | Provision of a ranger service across the SAC. Three rangers will be needed to ensure the full area can be covered, and to allow for a sufficient rota. Starting in year 4 (2025-26). | | £44,500 | £3,426,500 | |
| Forest Wide Ambassadors | Provision of a ranger service across the SAC. Three rangers will be needed to ensure the full area can be covered, and to allow for a sufficient rota. Starting in year 6 (2027-28). | | £44,500 | £3,337,500 | |
| Monitoring visitor impacts on soils and ecology of SAC | Baseline survey by year 2 and then every 4 years (£15,000 per survey). Also FPPs of main erosion areas every two years (£2,000 per survey). | N/A | £397,000.00 | | Necessary to ensure that the mitigation strategy can be updated as appropriate to reflect changes in pressure, and therefore impacts on the SAC. |
| High Beach Hub Costings | See Tables 2 and 3 | | | £998,386.50 | |
| Chingford Hub Costings | See Tables 2 and 3 | | | £2,567,974.05 | |
| Leyton Flats Costings | See Tables 2 and 3 | | | £2,479,208.50 | |
| | | TOTAL COSTS | | £24,817,469.05 | |

Table 2. Proposed Projects at each of the three hubs

| Location | ID no. in LUC tables | Proposal | Capital Cost | Annual Maintenance Costs | 80 Years Costs |
|-------------------|-----------------------------|---|---------------------|---------------------------------|-----------------------|
| High Beach | 2 | Surface and edging improvements to the signposted accessible footpath loop and realignment to avoid safety hazards posed by ancient trees | £59,355 | £2,874 | £289,275.00 |
| High Beach | 3 | Redirect footfall and install fences encircling vulnerable ancient trees to reduce soil erosion and compaction | £14,375 | £2,500 | £214,375.00 |
| High Beach | 4 | Signposted, unsurfaced 5km loop from Wellington Hill Car Park created with signage to avoid ancient trees. Wood pasture restoration to be focussed around new routes | £54,600 | £3,720 | £352,200.00 |
| High Beach | 9 | Introduce traffic incursion measures along Manor Road to prevent car parking within the RPAs of ancient trees | £32,500 | £425 | £66,500.00 |
| High Beach | 1 | Surfaced footpaths connecting Wellington Hill linear car park to the existing visitor centre | £10,080 | £504 | £50,400.00 |
| Chingford | 2 | Surfaced route from Bury Lane car park to QE Hunting Lodge to act as the primary route bringing visitors from the parking area to the Visitor Centre and related facilities | £84,582 | £4,229 | £422,902.00 |
| Chingford | 5 | Clearer waymarking and surfaced (self-binding gravel) route connecting the Bury Road car park with Connaught Water | £81,720 | £4,086 | £408,600.00 |
| Chingford | 6 | Construction of a sealed surface path forming a route from Connaught Water to the Visitor Centre. Restoration of damaged areas alongside the path | £75,170 | £3,209 | £331,890.00 |
| Chingford | 15 | Improve opportunities for recreational walking around golf course and improve links to Pole Hill viewpoint | £54,700 | £3,235 | £313,500.00 |
| Chingford | 13 | Circular route signposted to Warren Pond | £6,875 | £250 | £26,875.00 |
| Chingford | 16 | Landscape improvements, including hard surfacing and termination of paths | £360,000 | £7,200 | £936,000.00 |
| Chingford | 17 | Control of parking outside the car park at Connaught Water | £25,000 | £0 | £25,000.00 |

| | | | | | |
|---------------------|---|--|------------|---------|----------------------|
| Leyton Flats | 4 | Signage installation | £1,250 | £250 | £21,250.00 |
| Leyton Flats | 5 | Improvements to established entry and exit points to Leyton Flats (Blue triangle) and development of a furniture strategy to rationalise furniture provision across the site | £150,000 | £7,500 | £750,000.00 |
| Leyton Flats | 6 | Significant entrance improvements associated with the Whips Cross 'mini-holland' scheme and access to Cow Pond | £23,300 | £2,330 | £209,700.00 |
| Leyton Flats | 8 | Circular, surfaced trail, with boardwalks where necessary around Hollow Ponds | £285,840 | £14,292 | £1,429,200.00 |
| | | High Beach Costs | £170,910 | £10,023 | £972,750.00 |
| | | Chingford Costs | £688,047 | £22,209 | £2,464,767.00 |
| | | Leyton Flats Costs | £460,390 | £24,372 | £2,410,150.00 |
| | | Overall Costs | £1,319,347 | £56,604 | £5,847,667.00 |

Table 3. Proposed Hub costings including 15% design/consultancy fee

| Area | Approx. Capital Cost | Design/consultancy fee (15%) | Total project implementation cost | Approximate Maintenance Cost | 80-year total |
|-------------------------|----------------------|------------------------------|-----------------------------------|------------------------------|----------------------|
| High Beach Hub | £170,910.00 | £25,636.50 | £196,546.50 | £10,023 | £998,386.50 |
| Chingford Hub | £688,047.00 | £103,207.05 | £791,254.05 | £22,209 | £2,567,974.05 |
| Leyton Flats Hub | £460,390 | £69,058.50 | £529,448.50 | £24,372 | £2,479,208.50 |
| Total | £1,319,347.00 | £197,902.05 | £1,517,249.05 | £56,604.00 | £6,045,569.05 |

4.7 It is important to recognise that the above costs are taken from a base year of 2021. Consequently, as outlined in the governance agreement, it is proposed that the costs will be index linked and updated on the 1st April each year.

5 Apportionment of SAMM Contributions

5.1 The SAMM programme is costed across the parties to this agreement, considering several factors to ensure that the contribution required by each party reflects the visitor pressure causes by the local authority and the quantum of development coming forward. The method used to calculate the apportionment of the programme is outlined in Schedule 2, and the final figures are presented below in Table 4.

Table 4. Apportionment of SAMMs programme across the Local Authorities

| Authority | % of pressure caused by new development | Apportionment (80 yr.) |
|-----------------------|---|--|
| EFDC | | To be agreed – discussions in progress |
| WF | | To be agreed – discussions in progress |
| Redbridge | | To be agreed – discussions in progress |
| Newham | | To be agreed – discussions in progress |
| Enfield | | To be agreed – discussions in progress |
| Hackney | | To be agreed – discussions in progress |
| SAMM Programme Total: | | £24,817,469.05 |

5.2 The route for securing the contributions will ultimately be for the individual local planning authorities to determine, including the specific approach as to which forms, types and sizes of new residential developments will contribute, but will normally be by way of a Section 106 legal obligation, or from Community Infrastructure Levy monies.

SCHEDULE 2 – SAMM Contributions

1. Background

- 1.1 The SAMM programme must be costed across the parties to this agreement, taking into account several factors to ensure that the contribution required by each party is considered fair.
- 1.2 A method was developed considering existing visitor pressure and the quantum of development coming forward in each of the Local Authorities.
- 1.3 This document outlines the method that was used as well as the calculations that were made.

2. SAMM Contribution Method

Note: The method and apportionment have both been finalised but final approval by each local authority, in agreement with Natural England, is awaited

Apportionment of SAMMs programme across the Local Authorities

| Authority | % of pressure caused by new development | Apportionment (80 yr.) |
|-----------------------|---|--|
| EFDC | | To be agreed – discussions in progress |
| WF | | To be agreed – discussions in progress |
| Redbridge | | To be agreed – discussions in progress |
| Newham | | To be agreed – discussions in progress |
| Enfield | | To be agreed – discussions in progress |
| Hackney | | To be agreed – discussions in progress |
| SAMM Programme Total: | | £24,817,469.05 |

SCHEDULE 3 – Financial Arrangements between the Partners and The Delivery Body

(Process detailing how money will be transferred between the LPAs and the Delivery Body, as well as the required reporting process, and how the money will be held)

1. Levyng of SAMMS Contribution

- 1.1 The SAMM Contributions will be levied and collected by the Partners in accordance with Clause 6.2.3.5 of this Agreement

2. Payment of SAMMS Contributions to Delivery Body

- 2.1 The SAMM Contributions shall be paid by the Partners to the Delivery Body in accordance with Clause 6.2.3.6 and 6.2.3.7 of this Agreement. SAMMS Contributions shall be paid by the Partners to the Delivery Body every six months (or otherwise agreed) by BACS transfer. The BACS details are:

Account Name: City of London Corporation

Bank: tba

Sort Code: tba

Account Number: tba

[Reference to be quoted on all transfers: SAMMS Agreement (*period covered*)]

- 2.2 Prior to any BACS transfers being made to the Delivery Body the Partner making the transfer shall advise the Superintendent of Epping Forest of the transfer including the intended date of transfer and amount to be transferred by email to Paul.Thomson@cityoflondon.gov.uk (or to such successor Superintendent of Epping Forest, or other Chief Officer acting for CoL as The Conservators for Epping Forest, as may be appointed from time to time).

3. Holding and Investment of SAMMS Contributions by the Delivery Body

- 3.1 The Delivery Body shall maintain an account for the purposes of holding, applying to Project Deliverables and for short-term investment of the SAMMS Contributions (“the Epping Forest SAMM Account” or “EFSA”)

- 3.2 The Delivery Body will set up one cost centre for the EFSA

- 3.3 All SAMMS Contributions received by the Delivery Body shall be paid into and kept in the EFSA until such time as it is expended on Project Deliverables or otherwise invested for the purposes of longer term (>3 years) investment in accordance with the Programme of Investment

- 3.4 The Delivery Body shall account for the SAMMS Contribution held within the EFSA by means of an expenditure and income account and a ring-fenced reserve account.

- 3.5 Any balance in the income and expenditure account on 31 March each year will be transferred to the ring-fenced reserve account. Any income which will not be expected to be

applied to Project Deliverables within the following three years will be available to be invested in accordance with the Programme of Investment. Any bank interest and dividends received will be add to the ring-fenced reserve.

3.5 The Parties acknowledge that the Programme of Investment in respect of the portion of the SAMMS Contribution to be invested shall be in accordance with the Investment Principles set out in Part 7 of this Schedule

3.6 Interest from both the Current Expenditure Account and investments will fluctuate but would yield a positive return each year.

4. Reporting

4.1 The Delivery Body will propose a Programme of Investment, in accordance with the Investment Principles in Part 7 of this Schedule, to the Technical Oversight Group for approval, will keep it under review, and will report from time to time (as the Delivery Body considers appropriate) on any recommended amendments to the Programme of Investment to the Technical Oversight Group for its approval

4.2 The Delivery Body will provide business plans and financial statements to the Technical Oversight Group (and, if required, to Natural England) at least annually in accordance with Clause 2.1 of the main Agreement to which this Schedule is attached.

4.3 The financial statements to be provided by the Delivery Body shall comprise suitable income and expenditure accounts that will include the following:

Income

- sources of income (i.e. from each Partner)
- date of income (i.e. from each Partner).
- value of contributions from each Partner
- cumulative contributions from each Partner

Expenditure

- destination of payment (i.e. to whom paid)
- period in which payment was made
- value of each payment
- cumulative value of the payments

Balances

- cumulative balances in the ringfenced reserve account
- value of investments (including of any Charity Pool Units held)

Copies of the report layouts are shown in Schedule 3A of the Agreement.

4.4 The Delivery Body will prepare the annual accounts for audit, as part of the Epping Forest Charitable Accounts audit process, and will arrange for the accounts to be audited by independent auditors.

5. Application of SAMM Contributions held by the Delivery Body

5.1 Sums from the EFSA will be applied by the Delivery Body towards Project Deliverables in accordance with this Agreement unless otherwise invested in accordance with the Programme of Investment.

6. Investment Advice

6.1 The Delivery Body will not offer any advice on investments, as it is not a registered financial adviser. The Delivery Body will not be liable for any reduction in value of the investments.

7. Investment Principles

7.1 The long term aim will be to transfer sufficient funds investments to enable a permanent endowment to be established. The aim of the permanent endowment will be to generate sufficient income to enable the Project Deliverables to be provided in perpetuity

7.2 In order to achieve the aims in paragraph 7.1 it is anticipated that the following split will be proposed by the Delivery Body in the draft Programme of Investment (but this will be subject to evaluation at the time the Programme of Investment is submitted, will be kept under review, and is further subject to the approval of the Technical Oversight Group to the Programme of Investment)

- First Financial Year after the Commencement Date – up to 40% of all income, which will not be required for Project Deliverables within the following three financial years, to be invested, and the rest apportioned to the EFSA.
- Second Financial Year after the Commencement Date – up to 50% of all income, which will not be required for Project Deliverables within the following three financial years, to be invested and the rest apportioned to the EFSA.
- Third Financial Year after the Commencement Date – up to 70% of all income, which will not be required for Project Deliverables within the following three years, to be invested and the rest apportioned to the EFSA.

7.3 The short and medium term aim will be to ensure there are sufficient funds in the EFSA to secure all the Project Deliverables. However, if it appears that the amount of expenditure from the EFSA leaves insufficient funds for investment to meet the aims in paragraph 7.1 then the Delivery Body may propose amendments to the Project Deliverables and Programme of Investment for approval of the Parties either directly or through the Technical Oversight Group.

SCHEDULE 4 - Epping Forest SAMM Strategy Technical Oversight Group

TERMS OF REFERENCE

DATE

1. Purpose of the Technical Oversight Group

1.1 The purpose of the Technical Oversight Group is to facilitate joint working by the partner local authorities responsible for the implementation of the Epping Forest Strategic Access Management and Monitoring (SAMM) Strategy.

1.2 The Technical Oversight Group will work together to:

- Publish, monitor and update the completed Strategic Access Management and Monitoring (SAMM) Strategy.
- Work with the Delivery Body and relevant advisory bodies to agree a Programme of Implementation and monitor its implementation, and
- Facilitate liaison and information sharing between the partners.

1.3 The Technical Oversight Group will liaise with other organisations which are undertaking related activities in order to exchange information and best practice and avoid duplication of work including Natural England and the Greater London Authority.

2. Technical Oversight Group Membership

2.1 The Technical Oversight Group comprises the following local authorities (LA) as Partners in the Epping Forest SAMM Strategy Partnership Agreement:

- Epping Forest District Council
- London Borough of Enfield
- London Borough of Hackney
- London Borough of Newham
- London Borough of Redbridge
- London Borough of Waltham Forest

2.2 A representative from each of the Partners will attend meetings of the Technical Oversight Group. Each LA will notify the Chair of any substitute in advance of Technical Oversight Group meetings and that will be eligible to cast that Partner's vote. Natural England will continue to chair these meetings until decided otherwise, at which point the role of the chair will be rotated between Local Authorities. The Chair will circulate an agenda 5 working days before the meeting. Each LA partner shall take it in turns to produce meeting minutes. Each LA partner will have one vote, except the Chair who has a casting vote. A LA Partner may not vote on matters concerning a dispute with the Partnership where the Partner is the subject of the dispute. Where a Partner has more than one member/officer present at a meeting, they will only be entitled to one vote.

2.3 Representatives from Natural England and the Greater London Authority (GLA) will also attend the meetings to provide guidance and advice. Representatives of CoL as the Delivery Body will also attend the meetings to provide feedback on Project Deliverables and to ensure the SAMM programme remains in accordance with the full protection of the Epping Forest SAC and with Delivery Body's other legislative duties. Any representatives from Natural England, GLA, CoL and any consultancy will not be eligible to vote. The quorum for a meeting will be three (3) voting LA

partners, and Epping Forest District Council, London Borough of Waltham Forest and London Borough of Redbridge must be present.

2.4 At the discretion of the Technical Oversight Group Chair and CoL as Delivery Body, any staff and contractors employed to undertake the work of the Partnership may be invited to attend meetings of the Technical Oversight Group where appropriate. Any representatives who are not there as representation for a LA, will not be eligible to vote.

3. Governance

3.1 The Technical Oversight Group will be responsible for making decisions in relation to the implementation of the strategy.

4. Technical Oversight Group functions and procedures

4.1 The Technical Oversight Group shall have the following functions:

- To promote, monitor and recommend updates (as appropriate) to the SAMM Strategy as the technical strategy
- To work with the Delivery Body to agree a Programme of Implementation and to review and update this on an annual basis
- To provide a single point of contact for information and advice on the project
- To receive regular reports from the Delivery Body on the implementation and monitoring of the SAMMs Strategy and the effectiveness of the necessary mitigation measures and, where appropriate, to recommend amendments to it
- To facilitate liaison and information sharing between the partners
- To recommend the appointment of a Delivery Body. The Delivery Body will be responsible for the implementation of the SAMM measures, subject to availability of adequate funding from the Partners in accordance with Section 6.2.2 of the Agreement of which this Schedule forms a part.
- To approve studies and works relating to the delivery and implementation of the SAMM measures
- To receive from the Project Delivery Body annual accounts relating to the collection and administering of financial contributions received and the allocation and expenditure of funds
- To receive from the Delivery Body reports as appropriate relating to the management of staff employed to deliver the SAMM measures (e.g. Rangers; SAC Ambassadors or other staff)
- To report on the Technical Oversight Group's activities and seek approval of the future work programme and expenditure, as necessary to relevant councils and members.
- To approve and publish documents relating to the SAMMS
- To keep these terms of reference under review and make appropriate amendments as necessary.

4.2 The Technical Oversight Group will meet monthly until the strategy has been completed and approved, at which point the meetings will become quarterly. Natural England will continue to chair these meetings unless the Technical Oversight Group decides otherwise.

4.3 The Technical Oversight Group may establish small project or working groups, resourced as necessary, to progress particular aspects of its work. Representatives of organisations who have a recognised interest in the planning or management of the SAMM measures but are not Technical Oversight Group members may be invited to join such groups.

5. Financial Management

5.1 The SAMM contributions will be sent every six months from each Partner to the Delivery Body unless otherwise agreed. Each LA will be responsible for monitoring contributions received and forecasting their future tariff income. Each Partner LA will be responsible for ensuring that only SAMM contributions that are available to spend are sent to the Delivery Body and for arranging any requests for refunds.

5.3 The LA Partners will nominate a single point of contact for the Delivery Body e.g. their S106 monitoring officer.

6. Communications

6.1 The Delivery Body will oversee the project communications once the project has commenced.

7. Technical Oversight Group Meetings

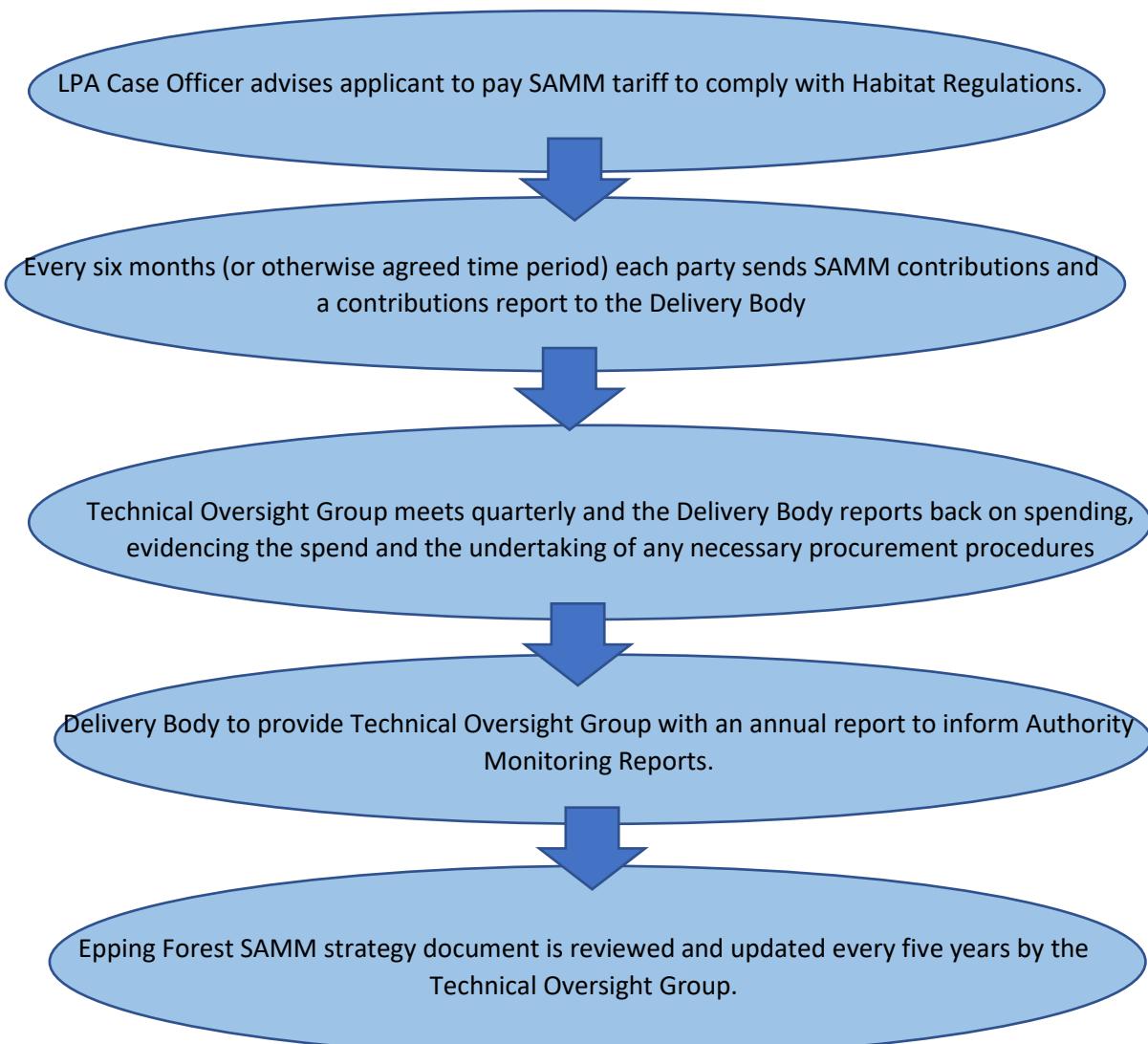
Meetings will operate under the following conditions:

- At each meeting, the Technical Oversight Group will agree the date for the next meeting otherwise the Chair or his/her nominee, shall call meetings, giving notice that is reasonable in the circumstances.
- The Chair shall circulate an agenda before the meeting. Each Partner shall take it in turns to produce meeting minutes, unless it is agreed otherwise.
- Each Partner (excluding any co-opted members) will have one vote. A Partner may not vote on matters concerning a dispute with the Partnership where the Partner is the subject of the dispute. Where a Partner has more than one member/officer present at a meeting, they will only be entitled to one vote.
- The quorum for a meeting will be three (3) voting Partners, and at a minimum the three boroughs directly surrounding Epping Forest SAC (Epping Forest District Council, London Borough of Waltham Forest and London Borough of Redbridge) must be present when any decisions are made.
- Votes, with the exception of a vote to terminate a Partner's membership of the Partnership, will be by two-thirds majority of the Partners in accordance with the quorum discussed above on the basis of those attending and eligible to vote.

SCHEDULE 5 – SAMM Delivery Flow Chart

The flowchart overleaf sets out the steps for the governance and delivery of the Epping Forest SAMM Strategy. Some of the terms referred to in the flowchart are defined, below.

- Financial Management: The SAMM contributions will be sent from each LA to the Delivery Body. Each LA will be responsible for monitoring contributions received, and for forecasting future tariff income.
- Delivery Body: The City Corporation, as the owners of the site and as its Conservators, will be appointed as the Delivery Body to manage the implementation of the SAMM measures. The Delivery Body will be allocated money by the parties and will be responsible for the delivery of all on site SAMM measures, and the management of any staff and contractors employed as part of the measures. The Delivery Body will report back on SAMM spending to the Technical Oversight Group annually.
- Technical Oversight Group: The existing Technical Oversight Group is made up of a Nominated Representative from each party. The Technical Oversight Group will take responsibility as outlined in Schedule 2. The Technical Oversight Group will meet quarterly to discuss the SAMM measures and if any amendments are needed. The Technical Oversight Group will continue to include representative(s) from Natural England and GLA. Sub-groups may be formed at any time and could include local conservation groups.



Agenda Item 15

| | |
|---|--|
| Committee(s) | Dated: 17 January 2022 |
| Committee name – Epping Forest & Commons Committee | |
| Subject: Superintendents update for The Commons. | Public |
| Which outcomes in the City Corporation's Corporate Plan does this proposal aim to impact directly? | [insert relevant number(s) from p3 of Corporate Plan] |
| Contribute to a flourishing society Shape outstanding environments | 1,2,3,4 10,11,12 |
| Does this proposal require extra revenue and/or capital spending? | NO |
| If so, how much? | £ N/A |
| What is the source of Funding? | N/A |
| Has this Funding Source been agreed with the Chamberlain's Department? | Y/N N/A |
| Report of Juliemma McLoughlin, Executive Director Environment | For Information |
| Report author: Andy Barnard, Superintendent of The Commons | |

Summary

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.

Recommendations

Members are asked to note the contents of this report.

Main Report

Burnham Beeches and Stoke Common

1. The final public consultation exercise concerning the introduction of permanent parking restrictions on the public highways that pass through and around Burnham Beeches has been completed but the outcome has not yet been reported.

2. The volunteer groups at Burnham Beeches and Stoke Common have continued with scrub clearance on the heathland and mire areas. Individual volunteers have continued the on-going monitoring programme and regular livestock checks. A successful winter task was held followed by wreath making in the barn with simple refreshments.
3. The Eco-volunteer Group has completed the decaying wood survey for Burnham Beeches and the calculations now need to be done to estimate the volumes of both standing and lying decaying wood. Simple reports have been completed on their two previous projects, the veteran tree survey on neighbouring land and the distribution of wood ant nests.
4. The ponies have finished grazing the north common area of Stoke Common and are now grazing the West Common, sadly one of the ponies had to be put to sleep, she was 30 years old and one of the original ponies bought from Exmoor as a foal to graze the Beeches in the 1990s – she has done sterling service and had a wonderful life. The cattle from the Beeches have left for their winter quarters.
5. The preparation work for the winter veteran tree pollarding has been carried out, including high clearance by contractors as well as clearance of holly and scrub by staff.
6. Staff have been working right through the holiday period, helping visitors enjoy their visits and have also taking the opportunity to carry out various small repair and maintenance tasks that often get forgotten.
7. Annual tree safety inspections are in progress and some emergency tree safety work was undertaken. More work will be undertaken by staff and contractors in the new year.
8. The archaeological excavation on Sevenways Plain Hillfort was very successful with finds of several pieces of charcoal which should allow carbon dating, plus some coins from World War II. The archaeologist made a video report each day describing what she was doing and what had been discovered. Many visitors dropped by to talk to her as she was working.
9. Burnham Beeches was busy over the Christmas period and, in combination with the wet weather many of the paths are starting to encroach onto the woodland areas as visitors try to walk round the muddy parts.
10. Work has started to identify the carrying capacity for the Beeches in terms of visitor numbers. This work, funded by the s106 mitigation strategy will be the

first of its kind and aims to establish a carrying capacity in terms of impact on various components of the nature reserve including the trees and soils, birds, reptiles and also visitor experience.

11. Christmas events have included carol singing at the café, a festive trail and a display at the information point about how we can minimise the impact of Christmas on the environment.

PARTNERSHIPS

Kenley Revival update

12. The cost of rectifying the thaumasite affected works, completed in November, came to £151,000. This was less than the estimated sum which included a contingency of approximately £14,000.
13. The recent rectification works were inspected by Historic England on December 23 and found to be sound.
14. The 13 tabletop signs and one small wing sign that suffered from vandalism have been re-manufactured and returned to site. This work incurred a small additional cost of £7,000 for materials, but the additional labour involved was provided free of charge.
15. The project's evaluation consultants produced an addendum to the Evaluation Report covering the impact of the signage and the contribution made by the City funded Legacy Officer post. This, together with an addendum written by the Head Ranger explaining the thaumasite issue and a lessons learned summary was recently sent to the National Lottery Heritage Fund.

The West Wickham and Coulsdon Commons

16. The Sussex cattle have moved from Farthing Downs to the barns at the Merlewood Estate Office for winter after completing a season of conservation grazing. We are expecting our first calves to be born on 5 January and the ranger team will be monitoring the herd periodically throughout the day and night.
17. Following the successful lambing last year, a ram, loaned by Capel Manor College, has returned to Kenley Common and put with a dozen ewes. The lambs will help increase the size of the aging Jacob herd and assist with grazing on our grassland sites.

18. Rangers have been carrying out a mixture of practical conservation tasks including removing a dense scrub block on Farthing Downs to restore chalk grassland, hedgelaying and removing invasive cherry laurel on Coulsdon Common, and creating a large 'scallop' on Riddlesdown to maximise biodiversity at the woodland and grassland edge.
19. The Information Ranger held a talk on woodland management across the Coulsdon Commons as part of a symposium on Croydon's urban trees titled 'Who's for more trees' arranged by the Friends of Farthing Downs and Happy Valley. The talk highlighted how we manage trees, risks, and woodland biodiversity. The talk also focused on the importance of biodiverse grasslands in storing carbon; an underrepresented carbon store in recent narratives on solutions to mitigate climate change.
20. In November, rangers attended a site meeting with officers from Historic England to set out a new 5-year working agreement to manage the Scheduled Monument on Farthing Downs. The agreement was updated to include a level of flexibility for installing new countryside furniture, such as temporary stock fencing, where there is a necessity to support habitat or species management.
21. The Information Ranger has been working with Natural England and Croydon Council's Conservation Officer to produce a new map of the South London Downs NNR and create a series of circular walking trails linking sites within the NNR. This project has been financed by a grant for improving Nature Recovery Networks in the UK from Natural England. Maps and information about the significance of the NNR will be installed at several site locations and the walking trails will be published online via the City of London and Croydon Council websites.
22. The public consultations for all of the Coulsdon and West Wickham Commons 10-year management plans are complete. A total of 724 people commented on the plans. Work is now underway to analyse the consultation results and review the plans where necessary.
23. There are initial discussions to grant a license to the Forest Bathing Institute for guided forest bathing walks on the Coulsdon Commons. These low-impact, guided walks are already taking place on similar sized nature reserves managed by The National Trust, RSPB and Forestry Commission

Ashtead Common

24. The City was successful in its application for Countryside Stewardship funding for the period 2022-2032. This will provide approximately £20,000 a year

towards work already prescribed in the management plan. In order to facilitate the agreement, the City will also take responsibility for haymaking on a small section of Ashtead Common not owned by the City Corporation.

25. Crown work on 40 ancient oak pollards commenced early in the new year. Volunteers have already removed vegetation from around many of these trees according to the trees' individual management prescriptions.

Incidents

Burnham Beeches & Stoke Common

26. There were 10 incidents during the period 1 November to 31 December. These included five dog related incidents – two involving dogs attacking deer, one involving a dog knocking a visitor over and two lost dogs where the dog was recovered by rangers. All but one of these occurred in the off-lead area. Formal action was taken for two of these incidents where the dog's owner could be identified. The other incidents included a motorbike off road, a vandalised gate at Stoke Common and small-scale fly-tipping.

Ashtead Common

27. Only one incident was reported during this period relating to pollution entering the Rye Brook.

The West Wickham and Coulsdon Commons

28. There were four incidents within the period from 29 October to 30 December.
29. One incident was related to a vehicle that had crashed into a boundary fence between Kenley Common and Coulsdon Common.
30. There was one incident of vandalism to a bench on Coulsdon Common that has since been removed.
31. Police responded to an incident involving a distressed member of the public on Farthing Downs.
32. Another incident included a dog that had bitten a member of the public on Coulsdon Common. The local Dog Warden was contacted with details of the incident.

Filming, major events and other activities

The West Wickham and Coulsdon Commons

57. A small section of New Hill on Farthing Downs was the location for the John Lewis Christmas Advert.

Burnham Beeches

33. Discussion and site visits have taken place with a number of production companies with one very likely to visit in April/May 2022

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Agenda Item 16

| Committee(s) | Dated: |
|---|---------------------|
| Epping Forest and Commons Committee | 17 Jan 2022 |
| Subject: The Commons - Licences, sports, wayleaves and produce fees and charges | Public |
| Which outcomes in the City Corporation's Corporate Plan does this proposal aim to impact directly? | 4,5,12 |
| Does this proposal require extra revenue and/or capital spending? | No |
| If so, how much? | N/A |
| What is the source of Funding? | N/A |
| Has this Funding Source been agreed with the Chamberlain's Department? | N/A |
| Report of: Juliemma McLoughlin, Executive Director, Environment Department | For Decision |
| Report author: Hadyn Robson | |

Summary

This report updates your Committee on the performance of charges levied for licensed activities, events, produce sales, and formal sports in the last full financial year 2020/21.

Proposals are also presented for a price increase of 4.9%, RPI as of October 2021. Benchmarking exercises have also been carried out with neighbouring service/facility providers.

Recommendation(s)

Members are asked to:

- Approve the proposed charges for 2022/23 as itemised in Appendix A.

Main Report

Background

1. This report encompasses several different activities on the portfolio of sites across The Commons for which a charge is levied. The charges are made to record the use and generally seek to reflect the costs incurred by the City of London in administering and enabling the activity and for reinvestment into the management of The Commons in accordance with the City Corporation financial regulations. These charges are separate to income received from donations.
2. The use of The Commons for siting of equipment or for certain activities requires a licence. Licences are administered through a small steering group of officers and in some circumstances, staff are consulted before a decision is made to ensure there is an equitable and transparent decision-making process.
3. All activities are regulated with due regard to the Open Spaces Acts of 1878 and 2018 and any other relevant statutory provisions.

Current Position

4. Below is listed the income raised from the various chargeable activities at The Commons, excluding car parking in 2020/21.
 - **Licensing activity** -£ 1359.70
 - **Produce sales** - £ 1982.17
 - **Event charges** - £ 0 (Covid affected)
 - **Filming** - £ 4551.00 (Covid affected)
 - **Sports (Junior football)** -- season pitch hire - Coulsdon Common - £379.00
 - **Wayleaves** – £36473.12
 - **Room Hire** – £0 (Covid affected)
 - **Utilities licensing** – £ 9510.03
5. All the licencing information, pricing, terms, and conditions are publicly available, and this process ensures appropriate licences and charges are administered in a fair and transparent manner.
6. Wayleaves are currently charged for private motorgate, handgate and commercial premises access across The Commons.

Proposals

7. Officers have considered the following before making their fees and charges proposals to this Committee:
 - The RPI rate on a specified and consistent release date (4.9% @ October 2021).
 - Benchmarked the charges and quality of provision with those of neighbouring and/or competing facilities. In some instances, we will, therefore, not benchmark against our own properties.
8. Officers are of the view that a proposed total increase in fees and charges of 4.9% is fair and reasonable and should not have a negative impact on users' uptake of chargeable activities or users' ability to pay.

Options

9. Three options are outlined for your committee's consideration:
 - a. Option 1 – To increase fee charges at 4.9%. These increases are reported in Appendix A. **This is recommended.**
 - b. Option 2 - To keep charges as they are. This would be in effect a price cut whilst inflationary increases would still apply to our own expenses. **This is not recommended.**
 - c. Option 3 – To increase fee charges above 4.9%. This could potentially risk reputation – **This is not recommended.**

Corporate & Strategic implications

10. These charges support the Corporate Plan, 2018-2023
 - a. Contribute to a flourishing society
 - b. Support a thriving economy
 - c. Shape outstanding environments

Financial

11. If fees are not raised by the proposed 4.9%, additional savings in expenditure will have to be made that will negatively impact upon front line services and the general management of The Commons.
12. City Corporation Financial regulations provide that 'When determining fees and charges to persons or external organisations, all departments should recover full costs, or submit reasons to the appropriate service Committee when that objective is not met.'

Property

13. Licensing various third-party temporary activities that the City Corporation is willing to permit across The Commons should ensure that the City Corporation retains full and proper control of the sites and able to prevent misuse or damage.

Charity

14. Ashtead Common, Burnham Beeches & Stoke Common and West Wickham & Spring Park and Coulsdon Commons are registered charities (numbers 1011510, 232987, 232988 and 232989). Charity Law obliges Members to ensure that the decisions they take in relation to the Charity must be taken in the best interests of the Charity.

Resource implications

15. Fees and charges mostly reflect the whole cost to the charity and seek to, as a minimum, assure whole cost recovery.

Risk implications

16. Raising fees by the proposed 4.9% may attract negative publicity for the City of London Corporation.

Equalities implications

17. Charitable and not for profit organisations receive a 50% discount on most fees and charges. This allows smaller and large charitable organisations and community groups to use The Commons at a lower cost whilst still meeting the core costs to the charities.

Climate implications

18. Licences seek to control the number, location, and suitability of activities across The Commons to protect its environment. Sustainability criteria is included in Heads of Terms for larger events as prescribed in the Open Spaces Events Policy.

Security implications

19. Licences ensure that activities held across The Commons comply with all health and safety and other relevant legislation and enables basic due diligence to be undertaken on the licensee.

Conclusion

20. The Commons Division continues to provide excellent value for money for recreational and commercial opportunities. The charging proposals ensure that as a charity our expenses incurred due to third party use of our land are recouped and reinvested into the maintenance of the open spaces and activities can be audited to ensure relevant safety and legislative measures are met.

Appendices

- Appendix A – Current and proposed licence charges
- Appendix B – Benchmarking data

Background reports

- Director of Open Spaces Department, Epping Forest and Commons Committee - The Commons - Licences, sports, wayleaves and produce fees and charges, 18 January 2021.
- Director of Open Spaces Department, Epping Forest and Commons Committee – The Commons Events Policy (Part 2)- proposed amendments, 13 September 2021.

Hadyn Robson

Business Manager

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Appendix A

| Commercial / Corporate Events | | | |
|--|---|---|---|
| Item | Amount – current fee – | When Payable | 2022-23 proposed fee – 4.9% increase – figures rounded |
| Application Fee | £57 | On application | £60 |
| Deposit (to reserve location and date) | 25% of basic hire fee | Invoiced when event has outline approval from The City of London subject to licence approvals. If required licences are not approved and the event does not proceed the deposit is forfeited. | |
| Damage Deposit (refundable) | £575 or 20% of hire fee whichever is the lesser | Cleared funds to be received at least 3 weeks prior to the first day on site. | £603 or 20% of hire fee whichever is lesser |
| Basic Hire Fee - Minor event (less than 50) | £0- £575 dependent on event type and infrastructure (e.g. serving hot food, charging a fee, including more than one gazebo) | A damage deposit of £100 may be levied to ensure waste is disposed of in the case of events where a charge of less than £100 is made. Charged for catering must be separately licensed and an additional fee is payable unless part of an organised small/large event or otherwise agreed with the City of London | £0-£603 |
| Basic Hire Fee - Small event (50-499) | £750 plus 5% of ticket price | Cleared balance of funds to be received at least 3 weeks prior to the first day on site. | £787 plus 5% of ticket price |
| Basic Hire Fee - Medium event (500-4999) | £2240 plus 5% of ticket price | Cleared balance of funds to be received at least 1 month prior to the first day on site. | £2350 plus 5% of ticket price |
| Non – event days (set up and dismantle) | 15% of basic fee per day | Payable in conjunction with the basic hire fee. | |
| Private events (wedding receptions/ party) max 150 | £1150 | Cleared balance of funds to be received at least 1 month prior to the first day on site. | £1206 |

| Charity / Not for Profit Events (see terms and conditions) | | | |
|---|---|---|--|
| Item | Amount – current fee | When Payable | 2022-23 -proposed fee – 4.9% increase |
| Application Fee | £28.00 | On application | £29 |
| Deposit (to reserve location and date) | 25% of basic hire fee | Invoiced when event has outline approval from The City of London subject to statutory licence approvals. If required licences are not approved and the event does not proceed the deposit is forfeited. | |
| Damage Deposit (refundable) | £575 or 20% of hire fee whichever is the lesser | Cleared funds to be received at least 3 weeks | £603 or 20% of hire fee whichever is lesser |

| | | | |
|---|---|--|--------------------------------------|
| | | prior to the first day on site. | |
| Basic Hire Fee - Minor event (less than 50) | £0- £290 dependent on event type and infrastructure (e.g. serving hot food, charging a fee, including more than one gazebo) | A damage deposit of £100 may be levied to ensure waste is disposed of in the case of events where a charge of less than £100 is made. Charged for catering must be separately licensed and an additional fee is payable unless part of an organised small/large event or otherwise agreed with Col | £0-£304 |
| Basic Hire Fee - Small event (50-499) | £375 plus 5% of ticket price | Cleared balance of funds to be received at least 3 weeks prior to the first day on site. | £393 plus 5% of ticket price |
| Basic Hire Fee - Medium event (500-4999) | £1120 plus 5% of ticket price | Cleared balance of funds to be received at least 1 month prior to the first day on site. | £1175 plus 5% of ticket price |

Events requiring the use of specific facilities must pay these in addition to the above charges:

| Item | | Current Fee | 2022/23 Proposed fee |
|--|--|--|--|
| Exclusive Hire of car park | Large Medium Small Compounds/ Storage | Prices on application but as a guide £114-£287 per bay per day or £3.95- £23 per vehicle where only part bays are required. Costs dependent on type of use/length of use/time of use and day of use, £0.65 per square meter per day. Minimum overall charge of £82.00 | Prices on application but as a guide £120-£301 per bay per day or £4- £24 per vehicle where only part bays are required. Costs dependent on type of use/length of use/time of use and day of use, £0.68 per square meter per day. Minimum overall charge of £86 |
| Water | Use of building water supply or standpipe | £57 per day or metered charge | £60 per day or metered charge |
| Electricity | Use of The City of London supplies | £57 or metered charge | £60 per day or metered charge |
| Specialist ground preparation (in addition to usual cutting regime e.g., ground marking) | | On application | |
| Staffing. City of London will provide staff to the first 2 meetings free of charge. Further attendance at meetings and on-site attendance may be charged, particularly if out of normal working hours. | Ranger Senior Ranger Head Ranger/Manager | From £31 per hour From £39 per hour From £50 per hour Plus, VAT at 20% | From £33 per hour From £41 per hour From £52 per hour |

Sports & miscellaneous charges

| Item | Current fee | 2022/23 -proposed fee – 4.9% increase |
|--|-------------|---------------------------------------|
| <u>Sports charges</u> | | |
| Coulsdon Common, 1 Football Pitch (for season) | £379.00 | £398.00 |
| <u>Miscellaneous Charges</u> | | |

| | | |
|--|---|---|
| Sale of split logs, per 3 ton – City of London staff only | £121.00 | £127.00 |
| Sale of green cord wood per ton- City of London staff only | £31.00 | £33.00 |
| Room hire at Ashtead and Merlewood – per hour | £46.00 | £48.00 |
| Room hire at Burnham Beeches | Half day £155.00- £194.00 Full day £307.00 - £383.00 and £4.60 + VAT a head for refreshments | Half day £163.00 - £204 Full day £322.00 – £402.00 and £5.00 + VAT a head for refreshments |

Filming – current charges 2020-2021

| LOCATION FEE (All prices are subject to VAT at the current rate) | Current fee - For up to 12 hours | Proposed charges – 2022-2023 @ 4.9% increase |
|--|---|--|
| TELEVISION - Advertisement | £2240-£3528 | £2350-£3701 |
| FILMS - FEATURE | £2240-£3920 | £2350- £4112 |
| TELEVISION - DRAMA/FEATURE | £1344-£1960 | £1410-£2056 |
| TELEVISION - LIGHT ENTERTAINMENT | £840-£1456 | £881-£1527 |
| TELEVISION - DOCUMENTARY | £448-£672 | £470-£705 |
| TELEVISION - NEWS | NO CHARGE | NO CHARGE |
| STUDENT PRODUCTION | £0 | £0 |
| STILLS PHOTOGRAPHY | £280 – 1 st hour £274/£168 per hour thereafter depending on numbers of people | £2940 – 1 st hour £287/£176 per hour thereafter depending on numbers of people |
| UNIT BASE – TV & SMALL FEATURE FILMS | £560 | £587 |
| STAND BY DAYS (NO WORK UNDERTAKEN) | £560 | £587 |
| SET DRESSING, CONSTRUCTION, PREPERATION & STRIKING DAYS | 50% of filming fee | 50% of filming fee |
| BURNHAM BEECHES OWN LOCATION MANAGER – IF DEEMED NECESSARY | £448 approx. | £470 approx. |
| STAFF SUPERVISION/CALL OUT COST PER HOUR | £84 | £88 |
| Administration fee | £137 | £144 |

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Appendix B - Benchmarking data

Room Hire – Burnham Beeches Estate Office

Current charges.

- Half day - £155.00- £194.00.
- Full day - £307.00 - £383.00.

Proposed charges.

- Half day £163.00 - £204.00.
- Full day £322.00 – £402.00.

Local benchmarking.

| Venue name | Public/Private | Fee | Comments |
|--------------------------------------|----------------|--------------------------------------|---|
| Huntercombe Hall – Burnham Park hall | Public | £25.00 per hour | Additional cost of £20.00 per hour for kitchen access |
| The Lakeside Room – Black Park | Public | £110.00 per day + online booking fee | |

Room Hire – Merlewood Estate Office

Current charges. £46.00 per hour.

Proposed charges. £48.00 per hour.

Local benchmarking.

| Venue name | Public/Private | Fee | Comments |
|-----------------------|----------------|--------------------|--|
| Queen's Park Pavilion | Public | £23.00 per hour | Includes kitchenette access |
| RAFA Portcullis Club | Private | £150.00 – half day | No other local like for like comparison. This facility is a little dated and limited in comparison |

Room Hire – Ashtead Common Estate Office

Current charges - £46.00 per hour.

Proposed charges – £48.00 per hour.

Local benchmarking.

| Venue name | Public/Private | Fee |
|--|----------------|--|
| Ashtead Peace Memorial Hall – Ralli Room | Public | £72.00 for weekday evening hire, rising to £96.50 for 4 hours + £52.00 4-hour kitchen hire |

| | | |
|-----------------------|---------|-----------------|
| Ashtead Football Club | Private | £27.00 per hour |
|-----------------------|---------|-----------------|

Football charges - Coulsdon Common

Current charges - £379.00.

Proposed charges - £398.00 – Junior football season.

Local benchmarking.

| Authority | Description | Fee |
|-----------|--|--|
| Tandridge | Junior Football 7 a side – Junior pitch (5-6-year-olds) Training | £47.00 – per game £22.50 – per game £23.50 per session |
| Croydon | Individual match Block booking – minimum of 10 games Mini soccer – 7 a side Little League Pitch | £19.95 – per game £18.05 per game £12.10 per game - local clubs £17.90 per game - other clubs £31.80 – 3 hours |

Agenda Item 20

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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Agenda Item 21

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of the Local Government Act 1972.

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