

To be addressed to:

Epping Forest District Council

Harlow District Council

London Borough of Waltham Forest

London Borough of Redbridge

London Borough of Newham

London Borough of Enfield

Broxbourne Borough Council

(copied to Natural England)

Dear [XXXX],

### **Emerging Epping Forest SAC Mitigation Strategy**

It is now 16 months since the City of London Corporation's Epping Forest & Commons Committee, acting as The Conservators of Epping Forest ("The Conservators"), responded to Epping Forest District Council (EFDC) about the proposed *interim* Mitigation Strategy for the Epping Forest Special Area of Conservation ("the SAC"). This interim strategy had been put forward to an "oversight group" of 11 local authorities and Natural England at EFDC offices on 25 July 2018, with the aim to work together towards a joint full Mitigation Strategy.

Following the hearings into the EFDC Local Plan earlier this year and the ongoing consultations on other local plans around the Epping Forest SAC I felt now was the time for the Conservators to write again to all local authorities, with responsibilities as 'competent authorities' for the Epping Forest SAC, to seek to galvanise this joint approach and to make progress on a number of outstanding matters to ensure that a full Mitigation Strategy is agreed as soon as possible for incorporation into all relevant local plans.

#### **1. SAC Mitigation Strategy Steering Group/Oversight Group**

It is clear that in order for the local authorities across the wider area to be able to plan for, and approve, the sustainable development that is required, it will be necessary to put in place a comprehensive area-wide Mitigation Strategy to address the potential adverse effects that increased development pressure may have on Epping Forest SAC. Such an approach has been shown to be effective for the local authorities responsible for the Thames Basin Heaths SPA and more recently those authorities within the zone of influence of the Essex Coast SACs/SPAs (the Essex RAMS Steering Group).

Despite some initial progress, which resulted in the approval and adoption of the *Interim Mitigation Strategy* by EFDC in October last year, The Conservators consider that there has been limited and insufficient progress since then towards the realisation of the final SAC Mitigation Strategy. In particular, of significant concern to the Conservators, has been the lack of joint working and absence of governance of the process, as there has been no further meeting of all relevant parties since that “oversight” meeting at EFDC Council offices in July 2018. This essential planning document has not been advanced in spite of the fact that there has been much local plans activity, including the examination hearings into the EFDC and Harlow Local Plans, the London Boroughs of Waltham Forest and Enfield formal consultations and the completion of both the LB Redbridge and Broxbourne Local Plans in the last year.

The recent delay to the adoption of EFDC’s Local Plan, following the Inspector’s interim finding that it was not possible to conclude that the Plan would not adversely affect the integrity of the SAC, along with the recent Alderton Hill Appeal Decision which reached a similar conclusion in respect of that particular development, illustrates more keenly than ever how important it is to ensure that a robust mitigation strategy is in place as soon as possible. The adoption of a final mitigation strategy will benefit all Competent Authorities (Regulation 7, Habitats Regulations 2017), enabling you to secure the appropriate mitigation that is required to conclude that Local Plan development would be able to take place without having any adverse effects on the SAC.

In light of this, and to add much-needed impetus to the process, I would like to extend an offer that The Conservators convene and chair a SAC Mitigation Strategy Steering Group/Oversight Group of officers, to meet at agreed intervals to ensure governance of its development and implementation. This will provide the opportunity to examine progress on the three key elements of the Strategy: Strategic Access Management & Monitoring (SAMMs), Sustainable Alternative Natural Greenspace and air quality enhancement measures. The first meeting would allow The Conservators to report on the further detailed examination of its SAMMs proposals. This meeting would also allow participants to understand where each authority has got to and provide clear governance and coordination of future work. This first meeting would also identify milestones, including future oversight meeting dates, along a realistic timeline for the steps that now need to be undertaken to prepare a final Mitigation Strategy suitable for all.

## 2. Costs undertaking

The Conservators continue to invest considerable human and financial resources in the preparation of the Mitigation Strategy, and the robust evidence base that is required to support it.

Further to my previous letter and the adoption of the Interim Mitigation Strategy, we have started to develop the SAMMs proposals in more detail. The aim of this work is to enable us to provide clearer costings of the outline measures in the current interim Strategy. The

Conservators are conscious that this is something which the competent authorities are keen to have more detail on so that you can each better understand how the monies that are being collected would be spent. The Conservators have appointed Land Use Consultants (LUC) to start this work for us. In particular, the consultants will be refining the costs of the original proposals by focusing on three visitor “hotspot” sites in the SAC. At these sites the visitor pressure is at its highest at the moment and it is at these sites where such recreational pressure is forecast to increase significantly based on the currently proposed new developments in the respective adopted and developing local plans. However, this is just a start and more work is needed across the Forest as a whole to examine mitigation options that would effectively protect the SAC.

In order for The Conservators to be able to continue to provide this level of expert advice and assistance in the preparation of the Mitigation Strategy, particularly in relation to SAMMs, we request that you as competent authorities each provide a costs undertaking to help with the expenditure and resources required to develop these proposals and to examine options for sites within the Forest, as well as tackling SANGs and air quality issues around the Forest SAC.

Whilst we appreciate that this is difficult in light of budgetary constraints, which we all face, we consider that it is absolutely crucial to ensure the swift progression and adoption of a robust Mitigation Strategy, from which each authority will be able to benefit. Indeed, it is our view that investing resources in these issues now will ultimately reduce likely expenditure further down the line, which could arise as a result of protracted local plan examinations, additional hearings and/or appeals and legal challenges, and the uncertainty that would follow for all involved.

I look forward to hearing from you in respect of both of these issues.

Yours sincerely,

**Graeme Doshi-Smith**  
**Chairman, Epping Forest and Commons Committee**