

Committee: Epping Forest and Commons Committee	Date: 20 th May 2020
Subject: Report of Action Taken Between Meetings	Public
Report of: Town Clerk	For Information
Report author: Richard Holt, Town Clerk's Department	

Summary

This report advises Members of action taken by the Town Clerk since the last meeting of the Epping Forest and Commons Committee, in consultation with the Chairman and Deputy Chairman in accordance with Standing Order Nos. 41(a).

Recommendation:

- That Members note the report.

Main Report

EPPING FOREST AND COMMONS COMMITTEE- REQUEST FOR DECISION UNDER URGENCY – STANDING ORDER 41(A)

SUBJECT: Temporary Closure of Public Car Parks across Epping Forest due to COVID-19 Pandemic

BACKGROUND: In the context of the ongoing COVID-19 pandemic, the City Corporation had kept public car parking under review on a daily basis through the Bronze, Silver and Gold structures that are in place during the Pandemic. The focus has been to keep Open Spaces available for people to exercise in line with the Government's statements about the importance of exercise for physical and mental health. Keeping the 50+ car parks across the Forest open since 23rd March has been maintained to help spread out the distribution of local users of the Forest. However, the recent behaviour of the public has made a change in approach necessary.

A number of car parks have been made available to the NHS for critical staff to park in and through partnership working with the MET and Essex Police particular car parking hot spots have been carefully monitored and issues dealt with, encouraging the public to adhere to Government guidance on social distancing. Over the weekend of the 4th and 5th of April it became apparent that too many people were travelling to the Forest by car from distances well in excess of 6KM. A joint operation with Essex Police identified excessive numbers of people arriving by car on Sunday 5th April and by 11am it became necessary to close the car parks through direction from the Essex Police.

Since Sunday 5th April all the lockable car parks have remained closed and a temporary road closure has been applied by the Police for the Pillow Mounds car park at High Beach where locking is not possible. This report seeks approval to formalise the decision to close the car parks and defines a period of review and delegations to allow Officers and the Police to respond to any changing guidance from Government or operational issues on the ground.

A City of London communications plan focused public messages on the closure of all car parks and the importance of people following the Government guidance on social distancing, exercising locally and avoiding any unnecessary car journeys. Across London a majority of car parks associated with Country Parks and larger open spaces have been closed following the COVID-19 Government guidance.

Consideration has been given to equalities and protected characteristics groups. The impact on protected groups, such as people with disabilities, has been considered through a test of relevance attached. It is recognised that the closure of car parks will result in the closure of parking for blue badge holders who will potentially be impacted by needing to exercise more locally to their homes. The conclusion is that notwithstanding this impact, the closure of car parks is reasonable and proportionate for all members of society and addresses the health risks associated with keeping the car parks open, especially for people with underlying health conditions. These measures are essential to support the COVID-19 Government guidance on exercise, unnecessary journeys and the need to exercise locally.

Legal Considerations

Epping Forest Act 1878

The Conservators are required to keep Epping Forest open as an open space for recreation and enjoyment by the public (S.7(1)), and to preserve the natural aspect of the Forest (S.7(3))

City of London (Various Powers) Act 1977

8(2) ... the Conservators may, for the purpose of providing or improving opportunities for the enjoyment of the Forest by the public and in the interest of persons resorting to the Forest, provide such facilities, services and works as may appear to them necessary or expedient, including meals and refreshments, parking places for vehicles, shelters and lavatory accommodation.

Working with Essex Police and Epping Forest District Council, as an emergency step, the traffic authorities have put temporary Traffic Management Orders in place to prevent vehicles accessing certain sections of highway where car park closures would be difficult such as the Pillow Mounds car park at High Beach which runs alongside the road. All areas remain open to visitors on foot.

Health Protection (Coronavirus, Restrictions) Regulations 2020

Reg. 6 - No person may leave their house without reasonable excuse (which includes exercise alone or other household members)

Reg. 7 – gatherings are prohibited unless limited to 2 people or other household members

Coronavirus – DEFRA Guidance on Use of Green Space

Advises the following:

- stay local and use open spaces near to your home where possible – do not travel unnecessarily
- you should only go outside alone or with members of your own household
- keep at least 2 metres apart from anyone outside your household at all times
- gatherings of more than two in parks or other public spaces have been banned and the police will enforce this

EVALUATION

It is not considered that the closure of the car parks involves any non-compliance with the Conservator's duties. There is a power (not a requirement) to provide parking. The parking areas will remain accessible on foot, as will the rest of Epping Forest. In the exceptional circumstances arising from the Coronavirus Pandemic, including during a period of good weather, extremely high numbers of visitors, including those arriving by car, have placed extreme pressure on parking spaces. High visitor numbers, encouraged by parking provision, have prejudiced the ability of visitors to maintain safe social distancing. Demand for parking spaces has also led to incursion on verges by vehicles using the car parks. Ready parking provision is considered to have encouraged travel to Epping Forest by people who are not local, contributing to visitor numbers which prejudice social distancing by visitors. It is considered that by closing the car parks longer distance travel to the car parks by non-local visitors will be discouraged and the enjoyment and safety of other visitors (observing government guidance to stay local) will be preserved.

The risks of keeping the car parks open are that recreation and enjoyment of those who can visit while observing government guidelines will be harmed by risking non-compliance with social distancing and resulting health risks for forest users. Ultimately, such practise could lead to greater restrictions on movement which could undermine enjoyment of the Forest.

Any adverse impacts of car park closure will be mitigated by a targeted program of Communications including specific details on the City of London Website and onsite signage.

RECOMMENDATION: The Town Clerk in consultation with the Chairman and Deputy Chairman is asked to approve the following recommendations:

- To agree the temporary closure of public car parks across Epping Forest to be formally reviewed weekly and immediately following any changes in Government guidance on COVID-19
- To endorse the operational decisions and partnership working with the Police and Local Authorities that has been undertaken to date
- To authorise the Director of Open Spaces and the Epping Forest Superintendent to make operational decisions that may be needed regarding

car parking through delegated authority (such power is not reflected in the current scheme of delegation)

To approve physical measures being taken to aid the closure of the following ungated car parks: Pillow Mounds, High Beach; Queens Green North, High Beach; Rushey Plain Turnaround, High Beach; Earls Path, Loughton; Earls Path Pond, Loughton; Warren Drive, Wanstead Park; Fernhall Lane; Forest Side

REASON FOR URGENCY: It has been the aim of the Committee to maintain public access to the Forest during the COVID-19 pandemic for the benefit of the mental and physical health and wellbeing of the public. It has become apparent that unnecessary and long-distance car journeys are being made. This has resulted in the need for public car park closures as a formal step to ensure Government guidance on COVID-19 is followed, including avoidance of unnecessary journeys and social distancing. There is no immediate Epping Forest and Commons Committee to consider this item, so it is being considered under the urgency procedure.

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