

Committee(s)	Dated:
Epping Forest & Commons Committee	18012021
Subject: Epping Forest Consultative Committee Membership 2021-23 (SEF 02/21)	Public
Which outcomes in the City Corporation's Corporate Plan does this proposal aim to impact directly?	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?	n/a
Report of: Director of Open Spaces	For Decision
Report author: Jo Hurst, Business Manager Epping Forest	

Summary

The Epping Forest Consultative Committee was founded in January 2018, and since then has met three times a year to discuss matters of Epping Forest management and policy.

According to the agreed Terms of Reference, membership of this Consultative Committee is reconsidered every three years. This report summarises the applications received and makes recommendations for a review of Terms of Reference prior to appointment for the next three years, holding February 2021 meeting with existing membership.

Recommendation(s)

Members are asked:

- to approve the revision of the Consultative Committee Terms of Reference to allow greater clarity in the selection process. This will require the current Consultative Committee to sit for one further meeting in its current form, before new appointments are made for the following three years.

Main Report

Background

1. The Epping Forest Consultative Committee met for the first time in January 2018, following an application process in Autumn 2017 involving membership organisations interested in the use and management of Epping Forest, with

sixteen places available according to the agreed Terms of Reference.

2. In 2017 nineteen applications were received, three of which did not meet selection criteria, the remaining sixteen were therefore appointed.
3. In June 2018 one further member, Royal Epping Forest Golf Club, was co-opted as it was felt that Golf and formal sports in general were underrepresented.
4. Under the Terms of Reference (Appendix 2) membership is established for three years, after which the application and appointment process is begun anew.
5. Invitations for Expressions of Interest in the next three years of the Consultative Committee were launched in October 2020.

Current Position

6. The opening of the application process was broadcast through City of London website, social media, press release, direct mailing and through existing membership, starting on 22 October and closing on 7 December 2020. At the closing date 38 applications were received, with one late application.
7. According to section 22 of the Terms of Reference, the sixteen members are ideally made up from the following themes of interest:

Conservation <i>Conservation groups in Forest, or with wider remit</i>	3
Friends/Voluntary <i>Formal working groups e.g. litter pickers groups, 'Friends of' etc.</i>	3
Heritage <i>Historical societies, rural preservation etc.</i>	2
Informal users <i>Schools, Youth groups, families associations, local forums and interest bodies</i>	2
Recreation <i>Recreational user groups – e.g. walkers, riders, cyclists</i>	3
Sports <i>Formal organised sports on Forest e.g. Golf, Football, cricket running etc.</i>	3
	16

8. It is possible that organisations may arguably sit within two or more of these themes as their interests and activities may be broad, with particular crossover between sports and recreation categories. The applications have been allocated

to the most appropriate theme or category as follows:

- Conservation 6
- Friends/Voluntary 3
- Heritage 1
- Informal Users 13
- Recreation 3
- Sports 9

9. In addition, there were four applications deemed ineligible under the terms of reference as either from individuals or commercial businesses, with neither members nor constitution or other similar documentation.
10. Although included in the application summary, a number of organisations are not formally constituted, although, where similar or equivalent documentation has been provided (such as articles of association, rule book or standing orders) this has been indicated in the table at Appendix 1.
11. Section 23 of the Terms of Reference states “Should more expressions of interest be received than can logistically be accommodated, selection will be made by members of the Epping Forest and Commons Committee by the following (not in order of importance):
 - Size of membership
 - Geographical area of interest (i.e. area of Forest covered)
 - Theme of interest
 - Record of attendance (once established)
12. Of those organisations which have resubmitted applications for the next three years, only one, the London Wildlife Trust, has had a poor record of attendance, the reasons for this are known and it is advised that the application should not be disregarded on that basis.
13. Although two places are allocated for Heritage organisations, only one application has been received, so a further place may be awarded to Informal users or sports, which are oversubscribed.
14. A number of applications have been made from Local Authority groups or representatives. As liaison meetings are scheduled regularly with Local Authorities it may be advantageous to clarify the terms of reference in this regard.
15. It may also be advisable to update the Terms of Reference with regard to public bodies, or other organisations that may otherwise be considered.
16. Although the Public Sector Equality Duty does not technically apply to the City in its non-local authority capacity, it may also be beneficial to ask for copies of Equalities Statements or Equalities Impact Assessments from applicant

organisations to ensure proper regard to such concerns.

17. Although the size of membership that an organisation has is a relevant consideration for appointment under the Terms of Reference, there is a clear disparity over how this has been interpreted by different applicants. Some are able to provide numbers of fee paying, or formally registered members, usually with voting rights under their constitution; others provide circulation numbers of household mailing lists or social media followers including Facebook, Instagram, Twitter and WhatsApp groups. It is not always clear which figure has been declared and the Terms of Reference do not define this in sufficient detail. It is considered essential that this be clarified before appointment decisions are finalised, as this is a key selection criterion and the data currently declared may not allow for a fair comparison.

Proposals

18. It is proposed that the Terms of Reference be clarified, particularly with regards to membership numbers, acceptable legal documentation (constitution or otherwise), Equalities statements and types of organisation preferred.
19. Revised Terms to be considered by the Consultative Committee at their next meeting in February 2021, and then by the March meeting of the Epping Forest & Commons Committee. Applications received by the previous deadline, as listed in Appendix 1, can then be clarified and assessed on equal terms, allowing formal appointments to be made ready for the Consultative Committee's next meeting in June 2021.
20. The current Terms of Reference state at item 25 "The Consultative Committee serves as established for three years (starting in 2018), after which the invitation and nomination process outlined above is repeated." This has been initiated as required, so a further sitting of the same membership will not be contrary to the Terms.

Options

21. **Option 1** – Revise and clarify the Epping Forest Consultative Committee Terms of Reference and then invite existing applicants to provide further details according to these revisions where necessary. Due to timescales this will also require one further sitting of the Consultative Committee in its current membership. **This option is recommended.**
22. **Option 2** – Select membership of the Epping Forest Consultative Committee for the next three years from the currently available declared data. This may not be comparable for all organisations and **therefore this option is not recommended.**

Corporate & Strategic Implications

23. Strategic implications – The continued attendance at the Epping Forest Consultative Committee supports the Corporate Plan items 4, 10, 11 and 12.
24. Financial and resource implications – The resources required for room hire (post pandemic), light refreshments, the publication of agendas; reports and minutes will be provided by the Town Clerk's Department.
25. Legal implications – The Epping Forest Consultative Committee is a consultative group, rather than a formal statutory committee, and its constitution is not subject to specific legislative provisions. The Epping Forest and Commons Committee is therefore able to vary its Terms of Reference and membership as necessary.
26. Prior to exercising certain powers under the City of London Corporation (Open Spaces) Act 2018 the Corporation as Conservators must consult such persons or bodies as it thinks appropriate and the arrangements as set out in this report would generally satisfy that requirement.
27. Since the Consultative Committee was first established, it has been confirmed that later iterations of the Members' Code of Conduct do not apply to the membership of consultative groups, so the Terms of Reference should also be updated on this basis.
28. Risk implications – This is a revision of an existing Consultative Committee structure and is therefore 'business as usual' and considered low risk. Implementation of the City of London Governance Review may require a further review of the status of this Committee.
29. Equalities implications – It is recommended that Equalities statements be incorporated into application requirements.
30. Climate implications – The UK Government has binding targets to reduce greenhouse gas emissions and hence global warming by 2050, with the Consultative Committee acting as a key factor in the engagement and protection of the Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSI) at Epping Forest which is directly affected by climate warming.
31. Security implications – None
32. 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.

Conclusion

33. An excellent level of applications has been received to take part in the next three years of the Epping Forest Consultative Committee, which is testimony to its

success in its first three years.

34. Oversubscription, particularly in some themes of interest, requires clarification of some organisation particulars in order to make appointments for the next three years. This will require a revision of the Terms of Reference and one further meeting of the Consultative Committee in its current membership.

Appendices

- Appendix 1 – Application summary 2020
- Appendix 2 - Terms of Reference EF Consultative Committee August 2018

Report author

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