

EPPING FOREST & COMMONS COMMITTEE
Monday, 16 November 2020

Minutes of the meeting of the Epping Forest & Commons Committee held remotely
on Monday, 16 November 2020 at 11.30 am

Present

Members:

Graeme Doshi-Smith (Chairman)
Benjamin Murphy (Deputy Chairman)
Deputy Philip Woodhouse
Peter Bennett
Caroline Haines
Alderman Robert Hughes-Penney
Jeremy Simons
Oliver Sells QC (Ex-Officio Member)
Verderer Michael Chapman DL
Verderer H.H William Kennedy
Verderer Paul Morris
Verderer Nicholas Munday

Officers:

Richard Holt - Town Clerk's Department
Chris Rumbles – Town Clerk's Department
Kristina Drake – Town Clerk's Department
Colin Buttery – Director of Open Spaces
Andy Barnard – Superintendent of the Commons
Paul Thomson – Superintendent of Epping Forest
Jacqueline Eggleston – Head of Visitor Services, Epping Forest
Jeremy Dagley – Head of Conservation, Epping Forest
Jo Hurst – Business Manager, Epping Forest
Julianne Heinecke – Personal Assistant, Epping Forest
Tristan Vetta – Senior Forest Keeper, Epping Forest
Gerry Kiefer – Business Manager, Open Spaces Department
Paul Monaghan – Assistant Director Engineer, Director of the Built Environment

1. APOLOGIES

Apologies were received from Alderman Robert Howard.

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

Verderer Nicholas Munday declared that he owned property a property in High Beech.

Verderer Michael Chapman declared that he was familiar with the owner of the property included in Item 26.

3. **MINUTES**

The Committee considered the public minutes and non-public summary of the Epping Forest and Commons Committee meeting held on the 7th of September. The Town Clerk informed the Committee that the election of Verderers, mentioned in the minutes, would be corrected to February and that the Deer Strategy would now be prepared for the January meeting.

RESOLVED- That the minutes of the public minutes of the Epping Forest and Commons Committee meeting held on the 7th of September, subject to the correction specified, be approved as an accurate record.

4. **EPPING FOREST AND COMMONS COMMITTEE 2021 DATES**

The Committee received a report of the Town Clerk which provided a list of the 2021 dates relating to the Epping Forest and Commons Committee. It was noted that the Committee visits should include the Commons sites.

RESOLVED- That the report be noted.

5. **DRAFT MINUTES EPPING FOREST CONSULTATIVE COMMITTEE**

The Committee received the draft minutes of the Epping Forest Consultative Committee held on the 24th of October 2020.

RESOLVED- That the draft minutes be noted.

6. **SUPERINTENDENT'S UPDATE**

The Committee received a report of the Director of Open Spaces which provided a summary of the Epping Forest Division's activities across August to September 2020.

A Member commented on the contribution of volunteers and requested that, as the Volunteers Reception could not be held at Guildhall in 2020, an appropriate recognition of their contribution be arranged. The Director of Open Spaces noted that the Volunteers Reception was an event arranged by the Chief Commoner and that he would be in contact with the Chief Commoner's Office to discuss a suitable alternative event. The Deputy Chairman confirmed that discussion had taken place between himself, the Chairman and the Director of Open Spaces on how best to recognise key staff and volunteers.

A Committee member requested an update on the deer collisions figures within Epping Forest and on the issue of land registration. The Director of Open Spaces explained that the deer collisions figures would need to be looked into outside of the meeting to obtain an accurate figure and that a report on the land registration was due to be considered by the Committee in 2021.

The Deputy Chairman asked for further information on the fly tipping reduction. The Director of Open Spaces confirmed that the fly tipping reduction polices, including the legal prosecutions which had been undertaken were clearly having an effect on fly tipping numbers.

RESOLVED- That the report be noted.

7. **EPHING FOREST CONSULTATION POLICY SEF 24/20B**

The Committee considered a report of the Director of Open Spaces on the Epping Forest Consultation Policy. The Director of Open Spaces introduced the report and explained that there were no changes requested by the Epping Forest Consultative Committee.

A member of the Committee suggested that, as a consequence of the City of London Corporation's Governance Review, it might be sensible to delay the review of the Epping Forest Consultation Policy. The Director of Open Spaces explained that the Policy needed to be updated in the short term, in part, to comply with GDPR regulations and therefore could not wait till after the Governance Review. In addition, it was agreed that a more regular review of this policy by the Committee would be arranged.

The Committee discussed appropriate methods for receiving comments from various sources noting that unstructured comments could be counter effective.

RESOLVED- That: -

- I. The report be noted;
- II. The adoption of the Epping Forest Consultation Policy as a replacement to the Epping Forest Statement of Community Involvement 2011 be approved.

8. **WANSTEAD PARK PONDS PROJECT - INITIAL ENGINEERING ASSESSMENT**

The Committee considered a report of the Director of Open Spaces on the Wanstead Park Ponds Project. The Director of the Built Environment introduced the report and invited questions from the Committee.

The Committee questioned whether the water level present at the site were correct, and the cascade effect, as it evidently impacted the management of many elements of Wanstead Park. The Director of Built Environment confirmed that the levels had been considered and it was added that further analysis was required on the ornamental water. In addition, it was noted that the Golf Course pond nearby had been reviewed and were considered not to be an issue.

RESOLVED- That: -

- I. That additional budget of £40,000 be approved and £30,000 from the existing budget is reallocated to reach the next Gateway; and
- II. That the categories assigned to each of the lake's dams be approved; and
- III. That the Panel Engineer's recommendation be noted; and
- IV. That revised project budget of £190,000 (excluding risk) including reallocation of funds be noted; and
- V. That the the change in extent of the project and the reduced total estimated cost of the project now at £750 000 – 1 million (excluding risk) be noted; and

VI. That Option 3, to undertake a further engineering study including into the water management of the lakes be approved.

9. **THE GROTTO, WANSTEAD PARK: CONSERVATION MANAGEMENT PLAN (SEF 22/20B)**

The Committee considered a report of the Director of Open Spaces on the Conservation Management Plan for The Grotto at Wanstead Park. It was commented by a Committee member that a sympathetic, cost effect and pragmatic approach to the Grotto restoration should be followed.

Committee member observed that a printed or online library of documents, such as management plans, would a useful resource. The Chairman suggested that a request to the consultants, who assist with the production of the management plans, to provide a number of printed copies could be arranged in future. The Director of Open Spaces noted that the possibility of compiling management plans in an online library would be assessed.

The Chairman requested that appropriate onsite communication for the Grotto be explored by Officers.

RESOLVED-That the Committee approved the adoption of The Grotto Conservation Management Plan as a resource to guide the management, fundraising planning and investment decisions of the Wanstead Park Project Board.

10. **PATH MANAGEMENT: POLICY DEVELOPMENT NOTE (SEF 23/20B)**

The Committee considered a report of the Director of Open Spaces on the Path Management Policy Development Note. The Director of Open Spaces commented that the report demonstrated a move toward a more planned method of path management for Epping Forest. The Committee noted the comments from the Epping Forest Consultative Committee on the Path Management Policy Development Note.

RESOLVED-That Option 1 be adopted where it is proposed that path management transitions over a ten-year period from a largely reactive process to a planned management process.

11. **NIGHT-TIME GATING PROPOSALS FOR MANOR ROAD, HIGH BEACH (SEF 26/20B)**

The Committee considered a report of the Director of Open Spaces on the Night-time Gating proposals for amenity purposes at Manor Road, High Beach. The Director of Open Spaces introduced the report by explaining that the night-time gating was being introduced to manage anti-social behaviour in Epping Forest.

Responding to a query from a member of the Committee the Director of Open Spaces confirmed that the any closure to local highways would be completed with the requirements of specific highway orders.

It was confirmed by the Director of Open Spaces that extensive public consultation would be undertaken, if possible, before the implementation of the night-time gating.

It was questioned if the reasoning for the closure of public highways was suitable robust. The Director of Open Spaces explained that a thorough reasoning had been provided by the local community partnership. In addition, it was explained that the Comptroller and City Solicitor had been consulted on the details of the report, confirming the legality of the requested decisions.

RESOLVED- That: -

- I. The Committee agree to support the commencement of public consultation by the traffic authority prior to any works on options for addressing the Anti-Social Behaviour issues at Queens Green and Pillow Mounds car parks described in the report, including the night-time closure of Manor Road, between the junctions with Wellington Hill and Paul's Nursery Road, to reduce levels of Anti-Social Behaviour; and
- II. It be agreed for public consultation to support scheme delegate authority to the Town Clerk, Chairman and Deputy Chairman to implement the scheme and enter into a formal agreement with Essex County Council as the traffic authority for the daily opening and closing of the road control gating.

12. EPPING FOREST CAR PARKING -INTRODUCTION OF PARKING CHARGES (28/20B)

The Committee considered a report of the Director of Open Spaces on the introduction of Car Parking Charges at Epping Forest Car Parks. The Director of Open Spaces introduced the report by explaining the reasons for the recommended proposals and the context of a £250,000 deficit in the Epping Forest management budget.

Responding to a Committee member's concern the Director of Open Spaces confirmed that environmental impact of car parks had been included in the project and that the City of London Corporation did have the legal power to enforce parking charges in Epping Forest. A Committee member commented that the issue of whether the City of London Corporation was acting as a secondary local authority or a private landowner still required clarification. Responding to this the Director of Open Spaces confirmed that they were confident in the legality of the proposals.

A member of the Committee commented that public transport facilities to Epping Forest were not sufficient as an alternative to travelling by car and stated that he was against the creation of any new car parks within the Forest. The Committee member further noted that the report did not provide the required information for the report to be approved. The Director of Open Spaces responded by clarifying that a report providing further detail on the specific implantation of car parking charges would be considered in January and that the charges would provide a vital source of income for the Forest in the period of increasingly stretched budgets.

The Committee debated the merits of the report's recommendations noting the contribution of income generated from car parking charges to the management of Epping Forest. The Deputy Chairman noted that comments from the Committee members, Epping Forest Consultative Committee and those received online had been taken on board and noted that lessons had been learnt from the implementation of car parking charges at other sites owned by the City of London Corporation. A Member requested that options be explored for differential charges for vehicles with less environmental impact.

An amendment was proposed to accept the recommendation to begin the implementation of the car parking charges, as detailed on page two hundred and eighty-eight of the agenda pack, with the exception of those car parks at High Beach. The amendment was seconded. The amendment was not carried.

The Committee proceeded to vote on the recommendation as listed in the report. Seven Members of the Committee voted in favour of the recommendation and four voted against. The recommendations were, therefore, approved by the Committee. The Committee members who voted against the recommendation confirmed that they wished to have their votes recorded were Verderer Michael Chapman DL, Verderer Paul Morris, Verderer Nicholas Munday and Verderer H.H William Kennedy.

resolved- That: -

- I. Comments made by the Consultative Committee on the propose scheme of charges be approved; and
- II. That the proposal to implement a car park charging scheme in Epping Forest be approved.

13. **SAC MITIGATION STRATEGY UPDATE (SEF 27/20B)**

The Committee considered a report of the Director of Open Spaces on the Epping Forrest SAC Mitigation for Local Plans: on-site SAMM proposals.

A member of the Committee suggested that the City of London Corporation consider whether the management of SANG (Suitable Alternative Natural Green Space) in house.

Replying to a query from the Deputy Chairman the Director of Open Spaces confirmed that the complaint regarding the time taken to proceed with this issue had been registered and that it had yet to be confirmed what the outcome of the complaint would be.

The Committee agreed to suspend Standing Order 40 to extend the meeting beyond two hours.

RESOLVED-That: -

- I. Members approved the costed proposals in Appendix 1, Table 3 and Appendix 2 to be presented to all competent authorities as a basis for SAMM funding in their respective Local Plans through an updated, full EFSAC Mitigation Strategy; and

- II. Approved that Officers report back on any proposed modifications to the proposals requested by the competent authorities (including 'in perpetuity' calculations) for consideration and approval.

14. **LONDON BOROUGH OF WALTHAM FOREST LOCAL PLAN CONSULTATION (SEF 34/20)**

The report was withdrawn.

15. **LAND EXCHANGE IN RELATION TO CLOSURE OF PART OF HIGHWAY AT BELL COMMON, EPPING BY ESSEX HIGHWAYS (SEF 30/20)**

The Committee considered a report of the Director of Open Spaces regarding a Land Exchange in relation to closure of part of Highway at Bell Common, Epping by Essex Highways.

In response to a query from the Deputy Chairman the Director of Open Spaces explained that opining on the issues discussed would be for the Highways Panel.

RESOLVED- That: -

- I. The Committee accepted the return and restoration of 197m² of highway land at Bell Common, effectively re-uniting two parcels of Forest Land; and
- II. That the dedication of the returned Land as Epping Forest Land be approved; and
- III. That the entry into a Section 72 agreement with Essex Highways for the use of 14m² of Forest land, for the purpose of allowing the manoeuvring of refuse vehicles subject to the return of 197m² highway land be approved; and
- IV. It was approved to use the 'surplus' to the exchange of 183m² as the basis to reopen negotiations with the Highway Authority to enable the closure of the Lindsey Street annexe at Epping (North) Green; and
- V. It was approved to remind Essex County Council that these transactions are consequent upon the completion of the previously agreed land exchange, outstanding since September 2011, for the traffic safety scheme at Manor Road, High Beach.

16. **SUPERINTENDENT'S UPDATE**

The Town Clerk confirmed that, in accordance with the Committee's Terms of Reference, the Committee was no longer quorate for non-Epping Forest related items of business as there were not five Committee Members who must be Members of the Court of Common Council present. It was noted that the non-Epping Forest related items requiring decision would be deferred from the agenda and considered under urgency by the Town Clerk, in consultation with the Chairman and Deputy Chairman.

17. **APPROVAL TO AUTHORISE EXTERNAL AGENTS TO SUPPORT ENFORCEMENT OF PUBLIC SPACES PROTECTION ORDERS AT BURNHAM BEECHES**

The report was deferred.

18. **PROPOSED CAR PARK TARIFFS -BURNHAM BEECHES, RIDDLESDOWN AND FARTHING DOWNS**

The report was deferred.

19. **REPORT OF ACTION TAKEN**

The report be deferred.

20. **QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**

A Committee member questioned whether the Tea Hut was going to be relocated, and if so, where would it be moved to. It was confirmed that the Tea Hut would be moving as part of the Path Management policy with a public consultation taking place before the details were finalised.

21. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT**

There was no urgent business considered in the public session.

22. **EXCLUSION OF THE PUBLIC**

RESOLVED: That under Section 100A (4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Part I of Schedule 12A of the Local Government Act.

23. **NON-PUBLIC MINUTES**

Consideration of the non-public minutes of the Epping Forest and Commons Committee meeting held on the 6th of September were deferred.

24. **GRANT OF EASEMENT (SEF 31/20)**

The Committee considered a report of the Director of Open Spaces on the Grant of an Easement.

RESOLVED- That the report be agreed.

25. **WAYLEAVE FEE (SEF 32/20)**

The Committee considered a report of the Director of Open Spaces regarding a Wayleave Fee.

RESOLVED- That the report be agreed.

26. **DEED OF EASEMENT (SEF 33/20)**

The Committee considered a report of Director of Open Spaces on a Dead of Easement.

RESOLVED- That the report be approved.

27. **KENLEY REVIVAL PROJECT**

The report be deferred.

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

There were no questions considered 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 were no questions considered in the non-public session.

The meeting ended at 2.15 pm

Chairman

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