

<b>Committee(s)</b> Epping Forest Consultative Epping Forest and Commons		<b>Dated</b> 20/10/2021 15/11/2021
<b>Subject:</b> Forest Operations: Path Condition Assessment Feb-Mar 2021 (SEF 45/21b)		<b>Public</b>
<b>Which outcomes in the City Corporation's Corporate Plan does this proposal aim to impact directly?</b>		<b>1, 11, 12</b>
<b>Does this proposal require extra revenue and/or capital spending?</b>		<b>y</b>
<b>If so, how much?</b>		<b>£377,364</b>
<b>What is the source of Funding?</b>		<b>Central Capital funds (RASC)</b>
<b>Has this Funding Source been agreed with the Chamberlain's Department?</b>		<b>Project submitted as part of annual capital bids process</b>
<b>Report of:</b>	Juliemma McLoughlin, Executive Director Environment,	<b>For Decision</b>
<b>Report author:</b>	Geoff Sinclair, Head of Operations	

### Summary

This report presents the results of a path condition audit (Appendix 1) of the 198 km path network undertaken by Epping Forest staff in February and March 2021 in response to visitor surveys which recorded increases in visiting of between 350% and 500%. The audit identified 27,680 m or 14% of the total path network as requiring urgent works to repair the most severe environmental impacts arising from the abnormally high visitor use and between March 2020 and March 2021.

Path reconstruction works to remedy the severe environmental impact to the network are estimated to cost £377,364 and cannot be met from Epping Forest Local Risk budgets. The Charity is progressing a capital funding request to the City Corporation for £250,000 and is also seeking support from Local Authorities who have secured additional Rate Support Grant funding for damage to Public Open Spaces in their jurisdiction.

### Recommendation(s)

Members are asked to:

- Agree to officers progressing internal and external fundraising approaches for financing the works to undertake the path repair proposals.

### Main Report

## Background

1. Epping Forest has 198 km of paths made up of 435 individually assessed path sections.
  - a. 36 km (18.2%) of these paths are all-weather paths and have a hard surfacing and sub-surfacing comprising of a variety of materials.
  - b. 162 km (81.8%) have a natural surface.
2. While Epping Forest's geology has been the Forest's saviour, with 'manorial waste' that was never cleared because of the low returns from hilly, droughty and infertile soils, the same character, however, does not provide robust and resilient path surfacing materials.
3. Despite forming a ridge at Epping Forest, the Forest's soils are weak and unconsolidated. being derived from Quaternary Period Thames Terrace Gravels and Stanmore Gravels deposited by glacial rivers and Eocene Period (56-33M years ago) Bagshot Sands laid down in a shallow sea (shared with Hampstead Heath). The Forest's highly impermeable fine-grained London Clay soils demonstrate high plasticity when subjected to high rainfall and heavy use.
4. In dry spring and summer weather, as seen in 2020, Forest soils lose what little cohesion they have and become very prone to abrasion by hooves, boots and tyres, with sand and silt particles literally blowing away. The same dry material is then all the more vulnerable to rainwater surface drainage which can erode significant quantities of surface material away.
5. Records by The Meteorological Office indicate that 2020 was the third warmest year in records dating back to 1884, beaten only by 2014 and 2006. It was also the sixth wettest year for the UK in records back to 1862, and the 8th sunniest year since 1919. The unusual 2020 summer storms – Ellen (19.08) and Francis (24.08) did irreparable damage to our previously dried and worn paths, even unusually removing much material from consolidated and surfaced paths.
6. Visitor numbers across Epping Forest in 2020/21 were three to five times greater than the average year. The 162km of natural surfaced paths have clearly suffered considerable adverse physical impacts due to the high visitor use. The wet weather of the winter of 2020/21 and the Spring of 2021 has further exacerbated the impact of this high visitor use.
7. During February and March 2021 Forest operations staff undertook an assessment of the condition of the managed path network across Epping Forest and the Buffer lands. Surveyed paths were divided into three zones, Zone 1 - the pathway, Zone 2 – the path verge and Zone 3 a wider indeterminate accessible area beyond the immediate path verge of Zone 2.
8. The findings of the path condition audit are detailed in Appendix one and in summary it reports that the pathway condition (Zone 1) of 21.5% of surfaced and 84% of unsurfaced paths were either very poor to poor. 17% of surfaced path verges and 61% of the unsurfaced path verges (Zone 2) were in the very poor and poor categories in Zone 2. When it

came to the condition of the wider area around the paths and the immediate 4m wide verge (Zone 3) 4% of surfaced and 20% unsurfaced paths were either in the very poor and poor categories.

9. Key observations arising from the audit were:
  - a. Surfaced paths lead to a significant reduction in environmental damage to both the verge (Zone 2) and the wider verge area (Zone 3). 76% of unsurfaced paths (zone 1) were found to be in a poor to very poor condition as opposed to 24% of surfaced paths.
  - b. It is estimated that overall, 93.2 ha of verges along unsurfaced paths has been severely impacted by visitor use.
  - c. The 17% of severely impacted verge on the zone 3 of unsurfaced path is concerning as it highlights areas of wider environmental damage to paths as people seek to avoid damaged sections and thereby adversely impact areas not previously walked. This is estimated to represent an area of 23.5 ha that has been permanently adversely impacted.

## **Proposals**

10. In responding to the damaging environmental impact of the high visitor use on the Forest's path network two broad objectives have been identified:
  - a. To reduce the environmental impact of visitors on zones 2 and 3, i.e. the verge areas
  - b. To reduce the spread of visitors in high use areas to fewer paths better able to cope with the use.
11. Damaged paths were triaged based on the severity of damage and their importance from a visitor access point of view. Overall, 59 paths were identified as requiring works representing a total length of 27,680 m or 14% of the total path network. The work required falls into four activities:
  - a. Surfacing of a path to provide a robust surface to ensure users do not impact path verges and to deter them from forming nearby desire lines
  - b. Path works to repair damage and to improve the accessibility of paths to deter users from damaging path verges
    - i. Pothole repairs
    - ii. Improvements to wet path sections to provide a dry pathway
    - iii. Drainage works to promote a dry path surface

## **Strategic Implications**

12. The work outlined in this work programme will contribute to the City of London Corporate Plan 2018-2023 Outcome 2 People enjoy good health and well-being; Outcome 11: We have clean air, land and water and a

thriving and sustainable natural environment and Outcome 12: Our spaces are secure, resilient and well maintained.

13. The proposed work programme actions support the Open Spaces Department's Vision of enriching people's lives by enhancing and providing access to ecologically diverse open spaces and outstanding heritage assets across London and beyond.

### **Epping Forest Consultative Committee Comments**

14. The West Essex Ramblers sought for clarification of the second objective listed in the report for responding to the environmental damage caused during COVID. It was explained that no restrictions to people using paths were proposed and that the approach is one of improving paths to encourage users to keep to them rather than create additional routes to avoid poor quality path section. They also encouraged contacting them with regard to practical help on path survey and maintenance as did the Orion Harriers outside of the meeting.
15. The Epping Forest Transport Action Group questioned the basis of assessing potholes and said that resurfacing was better than just filling potholes. It was reported that this path report was focussed on mitigating the environmental damage caused by the high visitor use during the COVID outbreak. A wider improvement program is recognised based on the general wear and tear on the path network but this fell outside the focus of this report which was focussed on the additional impact on the network during the COVID outbreak.
16. The Epping Forest Heritage Trust stated that at one time they would not be supportive of surfacing paths in the Forest but now recognise that this is necessary on some paths given the changes in use over the decades.

### **Financial Implications**

17. The cost of the works to repair the damage caused by the abnormally high visitor use during the COVID 19 lockdown period are £377,363. This is made up as follows:
  - c. New surfacing of paths £270,600
  - d. Patching damaged paths £38,760
  - e. Pothole repairs, £35,502
  - f. Path drainage £32,502
18. No funding is available under the Epping Forest Local Risk budget and Epping Forest paths is one of four Open Spaces Capital Bid request that have been made by the Environment Department to the Chamberlain on the 6<sup>th</sup> September 2021 to fund the required works.

19. The Charity is also seeking support from Local Authorities who have secured additional Rate Support Grant funding for damage to Public Open Spaces in their jurisdiction.
20. Work will be progressed only when additional funding has been achieved.

### **Resource Implications**

21. Reprioritisation of existing staff will be required to project manage the implementation of the path works program with additional casual/temporary staff support required. This would be met through existing local risk budgets.

### **Legal Implications**

22. Formal consent for these works may be required from Natural England under Section 28E of the Wildlife and Countryside Act 1981 (as amended) for the Site of Special Scientific Interest (SSSI) and as required under the Conservation of Habitats and Species Regulations 2017 in relation to the Special Area of Conservation (SAC). Additional consents for work in locally listed landscapes and APAs will be sought as required.
23. Many of the damaged paths often lie within the SAC and the important issue here is that works on these could be subject to Habitats Regulation Assessment (HRA) to assess Likely Significant Effects (LSEs), not just subject to SSSI assents. The reason for this is that the surfacing of rides may not necessarily be considered as required for managing the features of the SAC. However, there is also an argument that the rides prevent damage to SAC features and are an established asset in the Forest. However, some surfaced rides have undoubtedly killed ancient Beech or significantly impacted on their condition
24. Subject to the provisions of the Epping Forest Acts 1878 & 1880 the Conservators are under a duty at all times to keep Epping Forest unclosed and unbuilt on as an open space for the recreation and enjoyment of the public. They are also under a duty at all times as far as possible to preserve the natural aspect of the Forest.
25. The Epping Forest Act 1880 includes an additional power at section 5 to maintain "*ornamental inclosed lands*" which most probably reflects the City Corporation's purchase of Wanstead Park in 1880 and requires the Conservators to make proper provision for securing the enjoyment thereof by the public for exercise and recreation at all reasonable times during the day.

### **Equalities Implications**

26. The works will ensure the accessibility of the Forest in a sustainable way. It is considered that there are no negative impacts on the 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.

## **Climate Implications**

28. The works in the report will contribute to the improved resilience of the Epping Forest SSSI and SAC to meeting extreme storm events.

## **Conclusion**

29. Following a path condition assessment completed in March 2021 110 km of path verge was found to be in a poor to very poor condition due to high visitor use over the COVID 19 pandemic period. This is the equivalent of 93.2 ha,
30. The cost of providing 4,510 m of more robust permanent paths in high access area to reduce visitor damage and pressure on the Forest is £270,600
31. To make good damage to paths and to reduce users need to create new paths, repairs to 23,170 m of paths is required at a total cost of £106,764

## **Appendices**

Appendix 1 - Forest Operations: Path Condition Assessment: Feb-Mar 2021

## **Background Papers**

- SEF 23/20 Path Management: Policy Development Note. Epping Forest and Commons Committee Report. 16<sup>th</sup> November 2020

## **Report author**

Geoff Sinclair

Head of Operations Environment Department, Epping Forest

E: geoff.sinclair@cityoflondon.gov.uk

T: 020 8532 1010