

Committee(s): Open Spaces and City Gardens Committee	Date(s): 06 October 2022
Subject: Directors Report	Public
Which outcomes in the City Corporation's Corporate Plan does this proposal aim to impact directly?	1, 2, 3, 4, 5, 11 & 12
Does this proposal require extra revenue and/or capital spending?	N/A
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: Juliemma McLoughlin, Executive Director, Environment	For Discussion
Report author: Sally Agass, interim Director of Natural Environment	

Summary

This report provides Members with an update on matters relating to the work of the Natural Environment Division of the Environment Department since the last committee in July 2022.

Recommendation

Members are asked to:

- Note the contents of the report.
- Provide feedback on the contents of the report

Main Report

Charity Review

Members are asked to note that in conjunction with the Corporate Charity Review Group work has started to undertake this review. As advised at the last Committee there is a separate Charity Review Paper

In support of the this work the following staff have been made available:

- Chamberlains – Charity Finance Manager
- City Legal - dedicated legal work
- Natural Environment – specialist Charity Adviser to support the Governance Section of the Review

- HR – Dedicated Hr support for the Operational Resourcing section of the Charity Review

In addition, the Assistant Director, Environment Business Unit is supporting the process which is as reported in the Charity Review Report to this Committee

Going forward there will be standard item agenda item covering the progress of the Charity Review work.

In addition, as party of the corporate budget setting process commencing in October 2022, there will be a report going to Finance Committee and Policy & Resources seeking approval for additional revenue budget to cover such items as internal recharges for legal and support services, external legal and other professional advice.

In order for the Corporate Charity Review group to continue to support the work of this Committee as we progress through the elements of the review, the group are seeking addition funding that will taper over an 18-month period. This request is in addition and will be a separate paper to Finance and Policy & Resources as the sums requested cover all the Corporate's Charities and not just the ten Natural Environment Charities. There is a report on the agenda requesting permission to proceed on this basis.

Events

At Members request the update Events Calendar has been prepared and is attached for comment. Appendix 1.

Natural Environment Dashboard

At Members request a draft Natural Environment Dashboard which was presented to the last committee. In order to progress the necessary software needs to be installed and a member of staff trained to use it. On that basis a report in the correct format will be presented to the next Committee.

Staffing

Complaints and grievances, during this period the investigation conducted internally following an alleged incident at Epping Forest, the investigation found there was no case to answer which was the same as the Police Investigation. Consequently, one member of staff involved has been reinstated and a return to work interview has been completed and the other party tendered his resignation and this was accepted. In Hampstead the member of staff involved in a Police investigation was released on bail and therefore has suspension from duties has been lifted and a return to work completed.

The third incident relating to a casual forest keeper has also been resolved with a senior HR and Employment Lawyer present, it was resolved that the complainant had no entitlement to compensation and the complainant has been informed.

No major complaints from members of the public received in this period. Historically, one complaint having been resolved and one is going through a legal process and will be further reported to the relevant committees.

In order to be able to demonstrate consistency across the Environment Department the Business Unit are coordinating centrally all complaints, this will enable us to monitor those individuals who are repeatedly complaining about the same or similar issues.

Key News from our Charities

Epping Forest and The Commons

The risk of wildfire has dominated activity at Epping Forest over the record dry summer. Some 86 fires were attended by the Fire Brigades to the end of August, with Forest Keepers addressing small fires and damping down after larger fires to prevent reignition. Shift cover remains challenging with staff vacancies at Epping Forest having risen to 36%, with key posts covered by secondments, short-term contracts and casual working during the Target Operating Model (TOM) Stage restrictions on permanent recruitment.

A second holiday let income project at Dennett's Hill is complete and being advertised by Sykes Cottages. Stage I of the restoration of the landing stage at The Grotto folly ruins at Wanstead Park is now complete following funding support from the Heritage of London Trust. Work is currently underway to provide a float for the Lord Mayors Show to celebrate memorial tree planting for Her late Majesty this winter in aid of the Queens Green canopy. The £280,000 Birch Hall Park Small Raised Reservoir Repair Project led by the District Surveyor's Team was successfully completed in August and early September 2022.

Hampstead Heath, Queens Park and High gate Woods

The Gift Aid project is progressing well and still on track to have a fully functional gift aid option for donors by April 2023 in line with the incoming tax year. This schedule includes contingency time noting the lengthy processes to set up bank accounts and registering with HMRC. We are also still reviewing the possibility of using a 3rd party, such as Just Giving or CAF, who will then organise our Gift Aid donations, reducing the administrative workload on officers.

The Queen's Green Canopy (QGC) tree planting initiative created to mark Her Majesty's Platinum Jubilee in 2022 is progressing with tree planting planned in Epping Forest and Hampstead Heath. Following a request from the incoming Lord Mayor via the Remembrancer's Office, 33 trees will be planted in Hampstead Heath, to represent all the London Boroughs. The proposed tree species and planting locations have been

carefully selected to maximise the opportunities for the trees to flourish whilst promoting nature recovery and biodiversity, enriching natural hedges and extending tree orchards.

The Monument

The Monument, is a visitor attraction, scientific instrument and heritage feature in the City of London, operated by Tower Bridge staff on behalf of the Natural Environment Division, who are the asset owner. Annual revenue accrued through ticket sales were badly impacted by restrictions in place during the pandemic and visitor numbers have not yet returned to pre-pandemic levels since reopening. As a result of severe space constraints within the historic structure, its business continues to experience much slower recovery than many of the Monument's peer London attractions. As a result, the current annual operating cost for the Monument exceeds its revenue. In response, officers are exploring one current opportunity to work with the private sector, creating a Monument visitor centre in the immediate vicinity. The opportunity could result in a visitor centre constructed and fitted out at little or no cost to the Corporation. The aim of providing a visitor centre is to generate additional revenue (for example, from retail, food and beverage and/or venue hire) that meets both the operating cost of the visitor centre and the operating cost of the Monument itself, resulting in, at worst, a cost-neutral operating budget overall. Discussions are at a very early stage, but further information should be available in time for the next meeting of this Committee in December.

West Ham Park – Former Nursery Site

Notification of the disposal of the former nursery site adjacent to West Ham Park was made via a section 121 notice (under the Charities Act 2011) in March 2022. A section 105 Order (under the same Act) to allow part of the proceeds of the disposal to be received in kind by the provision of new operational facilities was obtained in August 2022. The commercial agreement with the preferred developer is currently being finalised. Further details are provided in the non-public update report elsewhere on this agenda.

Learning

The learning and play programme at Epping Forest, Hampstead Heath and West Ham Park is thriving. 18,750 people participated in our school, play and community programmes from April to August. Following restricted numbers during the pandemic, our play centres are now open to all, and visitors enjoyed a variety of play activities to promote social skills, physical fitness, confidence and wellbeing. The school programme reached students in some of London's most deprived boroughs, including Newham, Tower Hamlets, Waltham Forest, Hackney, Islington, Haringey and Camden.

The team have been invited to join a new Sustainability and Climate Change Education Working Group to respond to the Department for Education's Sustainability and Climate Change Strategy (2022). The UK-wide group of educators will collaborate to develop best practice in inspiring and empowering pro-environmental attitudes and behaviours.

Projects and Policy

Alongside the updates prepared below Members are advised that the Natural Environment Division are collating all our current policies and procedures to ensure they are consistent with the Corporation policies and are fit for purpose. A report will be brought back to a future meeting as this is work in progress.

Byelaws

There are 12 separate sets of byelaws which relate to the Open Spaces managed by the Natural Environment. A number of these were drafted and enacted many years ago and therefore are not totally reflective of modern activities.

There are also a number of activities which are not included in the current byelaws, which need to be added to enable effective management and enforcement to take place. However, this is a complex legal exercise and requires careful review, understanding, prioritisation and planning.

The Natural Environment Division have therefore established a Byelaw Review Group to manage, monitor and progress the process for the update of the byelaws.

Changes and additions require legal support (which is provided by the Comptroller & City Solicitors Department – C&CSD) and for a formal consultation process to be carried out. This is complex, potentially challenging and needs to be managed carefully in order to obtain the right outcome. A great deal of interest may be attracted; therefore, it is very important to be clear on the reasons and imperative for the changes and a robust rationale is essential to inform and support the process.

As the byelaws relate to the individual sites and associated Charities, the need for a phased approach is appropriate and will deliver the best outcome. Learning will be gained and can be applied to the process going forward. Epping Forest will be the Pilot location, reviewing and working towards updating their byelaws first.

The Chief Lawyer from the C&CSD is currently drafting the relevant documents detailing the key changes required for Epping. This will be available in the next few months. The advice from the C&CSD is that the timeline of the process for changes is 6/12 months.

Queen Green Canopy

There will be a presentation of the key deliverables for this important project.

Corporate & Strategic Implications

The role of our committee's ensures that projects and works delivered by our Charities contribute towards the achievement of the three aims set out in the City of London Corporate Plan 2018-23: Contribute to a flourishing society, Support a thriving economy and Shape outstanding environments.

A key strategic link is the Climate Action Strategy, and we work with the Departmental and Corporate teams to deliver those elements allocated to the Natural Environment Department,

Financial Implications

A separate Report, is seeking as part of the budget setting 2023-24 process, additional revenue to cover costs for internal and external recharging and costs for profession services to deliver the Charity Review.

Resource Implications

Not directly applicable

Climate Implications

Not directly applicable

Legal Implications

Not applicable at this time but will be reported to Committee as part of the Charity Review

Risk Implications

A separate Report is included on the agenda.

Equality Implications

No impact.

Security Implications

Not applicable

Appendices

- Appendix 1 – Natural Environment draft Events Calendar

Sally Agass

Director, Environment Department.

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APPENDIX 1

October 2022

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
25	26	27	28	29	30	1
2	3	4	5 HHHWQPC	6	7	8 West Wickham, Spring Park and Coulsdon Commons Consultative Group meeting.
9	10 OSCG Committee. WHP Committee.	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31	NOTES				

November 2022

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
30	31	1	2	3	4	5
DRAFT						
6 Newhams Biggest Leaf Pile.	7 Hampstead Heath Consultative Committee.	8 WWSPCC Consultative Group site visit.	9	10	11	12
13	14 CHL Committee.	15	16	17	18	19 EFCC visit to The Commons – site to be determined.
20	21 EFCC Committee.	22	23	24 Friends of West Ham Park Meeting.	25	26
27	28	29	30	1	2	3
4	5	NOTES				

December 2022

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
27	28	29	30	1	2	3
					Park in the Dark @WHP.	
4	5	6	7	8	9	10
	OSCG Committee. WHP Committee.		HHHWQP Committee.			
11	12	13	14	15	16	17
18	19	20	21	22	23	24
Race for Life @Hampstead Heath.						
25	26	27	28	29	30	31
1	2	NOTES				