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| Committee: Epping Forest & Commons – For Decision Epping Forest Consultative – For Information | Dated: 13 October 2022 19 October 2022 |
| Subject: Epping Forest Deer Sanctuary (SEF 29/22) | Public |
| Which outcomes in the City Corporation's Corporate Plan does this proposal aim to impact directly? | 2, 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? | Local Risk |
| Has this Funding Source been agreed with the Chamberlain's Department? | Yes |
| Report of Juliemma McLoughlin, Executive Director Environment Department | For Decision: EF&CC For information: EFCG |
| Report authors: Paul Thomson, Epping Forest | |

Summary

This report details and seeks approval for the proposed deer culling activity to be undertaken at the Birch Hall Park Deer Sanctuary across the 2022-23 deer season in line with the independent review of deer management at Epping Forest. The review's recommendations were incorporated into the Epping Forest Deer Management Strategy 2021-2031, which was adopted by your Committee on 8 March 2021.

Deer management, activity during the August 2021 to April 2022 season saw a reduction in deer numbers from approximately 280 deer, by 172, to approximately 100 deer, in order to maintain a sustainable stocking rate of below 1.5 deer per acre (3.7 deer per hectare), Now that a sustainable population has been re-established, the report proposes a 2022-23 season reduction of between 34-40 deer across the herd age structure, broadly mirroring the population increase of thirty fawns across June 2022.

Recommendation(s)

Members are asked to:

- Approve the option for the 2022/23 season reduction of 34 - 40 deer, to maintain a sustainable stocking rate of 1.5 fallow deer/acre (3.7 deer acre) across 66 acres.
- Approve the creation of an Epping Forest Deer Oversight Group comprising of Members and Officers to report to Committee on the annual management of deer.

Main Report

Background

1. Epping Forest was maintained as a Royal Forest from 1217 to 1878 providing Hunting Chases for the pursuit of deer and wild boar. Following a long public campaign between 1850 and 1871 to secure Epping Forest for public benefit, the City Corporation purchased the Forest between 1875 and 1878. The subsequent Epping Forest Acts of 1878 and 1880 disafforested or removed Royal Forest rights, from Epping Forest in favour of wider public benefits including management and regulation for public recreation; the retention of commoning for pasture, pannage and mast, landscape and heritage conservation, alongside a requirement to manage deer as a '*natural ornament of the Forest*'.
2. The Conservators of Epping Forest have maintained and operated a fenced deer sanctuary of 66 acres, without public access, on what has become Buffer Land at Birch Hall Park, Theydon Bois since 1959. The establishment of the sanctuary was in response to post-war research which predicted that increased urbanisation, a growth in motor vehicle numbers and an anticipated 'wave' of public leisure centred on countryside visiting would be detrimental to wild deer numbers, and especially the dark coated fallow deer at Epping Forest.
3. There was also an ancillary objective to maintain a reputed link to the Royal Danish Dyrehaven herd reputed to be associated with a wedding gift of fallow deer to King James I from his father-in-law. This gift was thought to explain the melanistic or dark pelage, or coat variety, of Fallow deer regularly seen in and around Epping Forest.
4. Traditionally, the preponderance of particular pelage, or coat, colour in deer herds was thought to reflect the emergence of particular strains or races which are genetically stable. Recent research suggests pelage colour does not breed true and that genetic isolation through imparking and the culling preferences of the landowner may play a more significant role in the emergence of a dominant pelage colour.
5. In 1962 byelaws relating to the deer sanctuary were made by the Conservators of Epping Forest under Section 17 of the City of London (Various Powers) Act, 1959. Additional Byelaws were made in 1965 using the City of London (Various Powers) Act, 1963.

2021/2022 Season Management activity

6. The 2021/22 season's target was set to manage the size of the herd back to a sustainable level. Due to restrictions on management activity during the 2019-2020 and 2020-21 seasons, the population was reduced by 172 animals. This significant reduction carefully considers the longer-term welfare and health of the Park herd.
7. Staff have continued to manage deer numbers to the deer sanctuary over the past 30 years. It is estimated that deer culling activity requires

0.5 staff days per deer culled within the sanctuary. With an annual cull of approx. 40 deer in 2021/22 this equates to a minimum of 20 staff-days. Another 15-20 staff days are required for other management tasks such as movement of high seats, welfare inspections of the herd and planning meetings with contractors carrying out works during 2022/2023.

8. The current staff recruitment restrictions associated with the City Corporation's Target Operating Model (TOM) has restricted the Charity's ability to replace specialist deer staff with permanent contracted roles. The Charity has been fortunate to recruit a number of casual deer management staff with extensive deer management experience as an interim measure. The current arrangements allow certain costs to be mitigated by the Charity, such as, cost of ammunition, specialist equipment, including rifles, specialist clothing, courses for qualifications and training, which is all met by the individual staff.
9. The wages for the group members are partly offset by income from carcass sales. This season the sale of 172 carcasses raised £3,828.27 to offset employment costs. The venison industry has been adversely affected by COVID-19 and there continues to be a low demand amongst UK consumers, consequently venison prices are low and look to remain so for the foreseeable future. The sale of venison therefore tends to only offset some of the costs of the deer management group.
10. Two Verderers have attended feedback sessions with deer management staff to reflect on the challenges facing the future deer management across the deer sanctuary and the Buffer Land. The last session provided opportunities to inspect the venison handling facility and management records. Verderers have indicated a willingness to serve on an oversight body regarding the management of deer and wider engagement with neighbouring landowners.

Current Position

Deer Strategy

11. The Birch Hall Park deer sanctuary has always been directly managed by Epping Forest staff, and this approach was reiterated in the Deer Management Strategy 2021-2031 adopted by your Committee in March 2021. Staff members undertake counts, welfare checks, perimeter fence checks and supplementary feeding and the provision of mineral supplements in the winter.
12. In line with wider grassland management objectives for the Buffer Land, the Park is not subject to improvement works through fertiliser applications or underseeding of the sward. To reduce the risk of deer losses due to insufficient grass natural feed a stocking rate of 1.5 deer/acre (3.74 deer/hectare) is currently used to determine the optimum herd size that the Park can maintain.

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13. Putnam & Langbein's assessment of 15 UK deer parks suggests that the best way to avoid deer losses or reductions in welfare is to maintain a low herd levels using a stocking rate of below 2 deer per hectare. Where there is good grazing with supplementary fodder to support the herd's overwintering. good nourishment. The Park grazing has not been improved reflecting wider Buffer Land nature conservation objectives and a strategy to further reduce the population in future years to being considered for recommendation to your Committee.
14. Currently the Park herd in the Park is approximately 128 head, plus an expected fawn drop of approximately 40. It is difficult to obtain an accurate count as the herd tends to form into a large group whenever approached making reliable counting difficult. Drones with infrared technology will be used to photograph the sanctuary this winter to provide more accurate data.
15. It is also noted that the District Surveyors Engineering Team will be leading ground, and Small Raised Reservoir (SRR) works carried out within the Park during late August and September 2022. Site visits with District Surveyors team, contractors and Epping Forest staff have been agreed upon measures for guaranteeing the health and safety of the deer and other animals and insects are carefully catered for. Of note was the opening of Red Oak and Gaunt Wood to the deer.
16. The Deer Review also suggested an alternative educational use of the Park around the management of wild deer in the modern countryside. Work is underway to assess future visitor access to this highly constrained site.

2022-23 Deer Management

17. The herd numbers currently stand at approximately 130, with about 30 being of 2021/22 season fawns. The intention is to maintain a post-reduction herd of approximately 100 animals comprising of 60 does, 30 fawns, 5 prickets and 5 bucks. Now the herd has been reduced to a sustainable level future management will only require an approximate reduction of 34 - 40 for the 2022 / 2023 and subsequent seasons.

Options

18. Your Committee has a range of options regarding the future management of fallow deer within the Birch Hall Park estate.
 - i. Approve a reduction of 34 - 40 deer across the 2022/23 to maintain a sustainable herd of 100 animals that are able to maintain high welfare assessments within a restricted fenced area of 66 acres of unimproved grassland. **This option is recommended.**

- ii. Consider the sale or transfer of excess deer to other Parkland herds that require increased numbers. The capture and transport of wild animals is not without the risk of mortality to captured deer and was not recommended in the Deer Management Strategy adopted by your Committee in 2021. **This option is not recommended.**
- iii. Allow the captive Park population to continue to grow to higher levels. This populations would be beyond the recommended stocking density and would incur more cost in supplementary feeding and greater pressure on the productivity and condition of the unimproved grass sward. **This option is not recommended.**
- iv. Consider the release of higher deer numbers to the wider countryside. Given the current size of the south-west Essex wild deer herd this option is considered to be unrealistic. The Deer Management Strategy argues against the intentional release of parkland deer into the wider landscape. **This option is not recommended.**

Proposal

19. The proposal is to continue to manage in-house a sustainable deer herd of around 100 individuals within the Park that is designed to provide an appropriate population structure and sufficient genetic diversity to provides a healthy population that is able to live in balance with the productivity of the unimproved grassland site.

Corporate & Strategic Implications

Strategic implications

20. This report supports the Business Plan objectives:
- Our open spaces, heritage and cultural assets are protected, conserved and enhanced
 - Our habitats are flourishing, biodiverse and resilient to change
 - Nature, heritage and place are valued and understood.

Financial implications

21. The reduced numbers of deer will equate to a considerable financial saving for the Charity in terms of amount of feed required during the winter, number of salt licks, vitamin tubs and the ecological impact on the environment within the fence line.
22. There will continue to be a reduced income stream from venison sales due to the current reduced market value. However, this is offset by the feed and supplement savings highlighted above.

Resource implications

23. The cost to local risk of operating under the long-standing deer management arrangements for the sanctuary are £17,395.40. The cost is met by Local Risk and is likely to rise to reflect the increased scientific assessment of deer impacts undertaken in line with the independent review's recommendations.

Legal Implications

24. Under section 4 of the Epping Forest Act 1878, deer on Forest Land are the property of the Conservators 'to be preserved as objects of ornament in the Forest'. Given the wider restrictions of the Epping Forest Act, it was not possible to establish a sanctuary within the Forest and hence land was purchased with the support of the Buxton family at Birch Hall Farm, forming the first parcel of Buffer Land.
25. Outside the Forest, deer are wild animals, or *ferae naturae* under common law, and are not owned by anyone. In England and Wales, the landowner has the right to kill or take game on his or her land. The landowner may also extend authority, known as 'permission', to other people without restriction provided they observe the law in terms of close seasons.

Charity implications

26. Epping Forest is a registered charity (number 232990). While Birch Hall Park is outside the Forest on Buffer land, the objectives of herd conservation are closely related to the Charity's objectives and its reputation. 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.

Risk implications

27. The deer management staff provide all their equipment and are obliged to follow policies laid down by the Charity in respect of numbers of deer culled, times/days when management activity is permitted, areas allocated to each deer manager and records to be kept. All deer management staff are suitably qualified and familiarised with all vehicles and equipment utilised for deer operations and work in a team to mutually support each other from a health and safety perspective.
28. All of the deer management staff are fully qualified to the minimum of Deer Stalking Certificate 2 (DSC2) and hold all necessary firearms and food hygiene certificates to legally carry out the control measures. They all have suitable insurance cover to indemnify the City of London and operate under annually reviewed risk assessments in conjunction with dynamic risk assessments whilst conducting activities which cover all tasks involved with culling the deer as humanely as possible.

Climate implications

29. Significant research has highlighted the negative impact of high deer numbers on the regeneration of trees and shrubs which negatively impacts on the Forest's ability to sequester atmospheric carbon.

Equalities implications

30. None.

Security implications

31. None.

Conclusion

32. Deer management activity over the previous season has stabilised the deer population at a sustainable level which reflects the limited grazing potential of the unimproved grassland. Working to appropriate stocking levels a modest management reduction will be required over the coming season which will benefit the welfare of the remaining herd, reduce pressure on the grassland and minimise the costs of supplementary feeding.

Appendices

Appendix 1- Deer Management Costs

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