

Committee(s): Epping Forest and Commons Committee	Date(s): 16 March 2023
Subject: Director's 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 Information
Report author: Sally Agass, interim Director of Natural Environment	

Summary

This report provides the Committee Members with an update on matters relating to the work of the Natural Environment Division of the Environment Department since the last Committee in January 2023.

Recommendation

Members are asked to:

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

Main Report

Epping Forest and Commons Away Day

A successful event was held at the Guildhall on the 17 February 2023, with the main points on the agenda as follows:

- Strategy and Purpose – details of which are presented as part of this report.
- Charity Review, a summary sheet was shared with Members outlining the ongoing work and the complexities of same
- Governance, the Chair shared his thoughts...
- Asset Review, an update was provided on the stages of the Natural Environment Operational Property Review, update included below.

- Project Review, further details are included in the Assistant Director, Projects and Culture section of this report.

There was an open floor session which was joined by Deputy Keith Bottomley for a wide-ranging discussion and sharing of information about the Natural Environment Division.

Emerging Strategy

A slide deck illustrating the Natural Environment strategic approach was shared with the Away Day and is included as Appendix 1 to this report. Members discussed the vision below and suggestions were made to change some words and to include others, for example add the word 'safe' alongside sustainable, as this work still needs to be shared with all the Natural Environment Charities, all suggestions for change are being collated and will be reported back to Committee.

Our vision is: “*The City of London ‘Corporation’s open spaces are life-enhancing places where everyone is invited to spend time, enjoy and learn within a sustainable and resilient natural environment*”.

The background to these slides is that they were prepared covering Visitor, Conservation and Nature Resilience, Community, Learning and Charity Income. With one of the purposes of this document to be an introduction to potential funders it was felt appropriate to combine all elements, with the exception of the charity income strategy into a single document with a golden thread running through it but capable of being customised for each charity accepting that one size does not fit all.

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Charity Review

Work has been furthered during this period, with significant progress having been made on the strategic, finance and TOM2 actions identified in the initial scope of activities. The Corporate Charity Review Group will continue to support the Natural Environment Charity Review and in the first instance will scoping out those activities that can add value to the process.

Members are invited to discuss the Draft Project Initiation Document attached Appendix 2 which has been prepared and shared with the Corporate Charity Review Group and illustrates the work that has been completed to date and the work in progress with indications of the timescales for completion.

The Terms of Reference and delegations for the Corporation’s Committees are set annually by the Court of Common Council.

The Policy and Resources has identified the need for a light-touch governance review, which will have wider implications. Accordingly, whilst it had been hoped to submit revised Terms of Reference to the Natural Environment Committees to address the issues highlighted, this will not be possible at this stage and should be delayed until the light touch review has been completed.

In light of advice received from legal on certain aspects discussed below and the support received from the Corporate Charity Review Group, this report proposes:

- changes to the scope of the Charity Review, which is reflected in an amended Project Initiation Document (PID) attached at Appendix 'A' Note, the Corporate Charity Review Group are conducting a scoping exercise to further support the work of the Natural Environment Charity Review, the results of which will be reported at a later date.
- That any necessary changes to the Terms of Reference for Committees be held in abeyance until the Corporation's recently approved light-touch governance review is completed

It is also the case that a full review of objects, or consideration of charity mergers and uniting orders may require an extensive legislative change process which would be costly to undertake, and which is unlikely to bring any significant benefit as the founding legislation and subsequent variations will determine what can and cannot be changed. It is considered that merging charities could potentially remove the local connection which would be detrimental to charities, especially where the opportunity to raise funding could be through local organisations, donations, legacies working with local partners and neighbouring councils.

Therefore, based on the advice received and learning from the Corporation's experience on other charity reviews it is considered unwise and premature to action those aspects of the review. It is proposed not to advance a review of the governing objects and the associated governing documents for the charities, nor is it proposed to make recommendations on mergers or uniting orders. Instead, it is considered more appropriate to assess the impact of the "descriptor" changes, as previously reported on the Charity Commission website.

Advice and expertise have continued to be provided by the Corporate Charity Review Group and following a workshop in January, informed by the learning and experience they have gained from other charity reviews, it was considered that whilst some activities should be removed from scope, there are other aspects that may be added to the scope of the review that could improve overall outcomes. Specifically, it was felt that there was a need to ensure the review focused on the individual charities rather than review at a group level. This has helped to refine the Project Initiation Document and ensure a clearer timeline for key milestones, having regard to the natural rhythm of the Corporation's review processes. The Project Initiation Document is attached at Appendix 2.

The revised PID sets out specific outcomes, products, actions and a detailed timetable for the review, acknowledging the complexity of the charities under review and the inter-relationship with non-charity land and assets.

Key News from our Charities

Hampstead Heath

Tree planting for the Queen's green canopy is taking place in Hampstead Heath with over 33 trees planted during January and March.

A recent survey of bat boxes on Hampstead Heath uncovered several bats with three species identified including Common and Soprano Pipistrelles and a Noctule.

Work is progressing with the implementation of capital projects including the refurbishment of the athletic track at Parliament Hill, the ponds infrastructure on the Heath and the playground at Queen's Park.

A number of events took place at Hampstead Heath during the autumn and festive period which included a Remembrance Day event, a Christmas fayre and the traditional Christmas and new year day swims at the ponds.

The Commons

The Ranger team at Burnham Beeches have been focussed on undertaking second and third cuts of the new pollards created over the last 30 years. Each year we aim to work around 100 of these trees. Contractors and staff at Burnham Beeches have been working together to complete the tree safety program for the year. Working in partnership with enforcement officers from Croydon Council, City of London Rangers helped to build a case against fly tippers who dumped nearly 70 full bags of waste on Farthing Downs last October with a successful prosecution in January. In this incident, Ditches Lane was blocked to evening traffic and the rubbish spread onto the surrounding chalk grassland within the National Nature Reserve. During the particularly cold spell and in line with our risk management policy on these matters, warning notices saying to stay off the ice were widely displayed but despite that we had a report of an adult male, two children and their dog walking on one of the frozen ponds at Burnham Beeches. At the time of writing all the pregnant cattle at West Wickham and Coulsdon Commons have calved except one who was due any day. Happily, all the cattle have passed their TB checks.

Volunteers have delivered 2719 hours (389 seven-hour days) of work during the period the equivalent of £ 27,190 using the Heritage Fund's matched funding calculator. Works have included 19 staff from Centrica joining the Stoke Common volunteers for a day for a second yearly corporate volunteering activity. Ashted Common hosted a winter joint task session of the Ashstead Epsom based countryside volunteering groups who cleared lots of targeted encroaching scrub to maintain the grassland/scrub mosaic Through the [Elms4London](#) programme, three elms specially bred to resist Dutch Elm disease were planted on West Wickham and Coulsdon Common by local volunteers.

At Farthing Downs, at short notice, staff were offered £10,000 funding from Natural England to help progress developing the identity of the National Nature Reserve. The NNR covers both COL and LB Croydon owned sites and the funded work will look at

options on how to create a coherent identity on the relatively new NNR and is being undertaken by Sustrans. The outcome and proposed way forward will be reported to future Epping Forest and Commons Committee meetings. Two new Conservation & Community Engagement Rangers started work at Burnham Beeches in January. They are employed by The City of London Corporation but funded by building developments within 5.6km of the Beeches.

West Ham Park – Former Nursery Site

Officers of the Natural Environment with the City Surveyors team are continuing to work towards completion of this important project.

Learning

The learning team are leading a new 'Climate Action Pathways in Education' (CAPE) alliance, bringing together teachers and researchers to develop best practice in climate education. The alliance will work together to change today's education for tomorrow's climate, equipping people with the knowledge and skills to take climate action and protect the environment.

The learning programme has engaged 34,671 participants at Epping Forest, Hampstead Heath and West Ham Park (April 2022 – February 2023).

- 15,997 students participated in our school programme, which reached children in London's most deprived boroughs, including Tower Hamlets, Newham, Hackney, Waltham Forest and Haringey. Schools took part in facilitated workshops that support the National Curriculum and boost fusion skills, wellbeing and connection to nature.
- 18,450 people participated in our play programme at Hampstead Heath, with visitors enjoying activities which promoted social skills, physical fitness, confidence and wellbeing.
- 150 people participated in our community programme, including groups from Chance UK and the Queens Crescent Community Association.
- 74 people participated in our youth programme, including a pre-apprenticeship work experience programme for school students at risk of exclusion, careers events, and a long-term programme for pupil referral units.

Operational Property review

The Corporation is currently conducting a Corporate Property Review that is running alongside the Natural Environment Property Asset Review.

Stage one of this project was to take the 142 land assets relating to each of the charities and to compile a data base of each land asset with the title number and the title deeds and whether the land is owned, i.e. purchased by the Corporation and

whether there are any restrictive covenants, This work is 95 % complete with the remaining 5% being those parcels of land that do not appear on the land asset register and require additional work by legal' Please note a budget has been set aside from the Directors budget to accommodate the legal work.

In addition to the data base of the land assets, with the support of legal and officers from Epping Forest, work has also been undertaken to identify ownership and restrictive covenants for all the Buffer Lands.

The third piece of work is the 'Pink Lands, legal have completed the dossier on the Warren House Estate excluding the two Public Houses and are now working on Pink Lands in West Ham Park.

The final piece of work is to examine the remaining 300+ properties owned by the Natural Environment, to establish ownership, any listings etc.

The purpose of this piece of work is to enable the Director to propose alternative uses that could deliver revenue as part of the Charity Income Strategy, and to inform Committee of any properties or land that could have an alternative use or be considered for change.

This base line information will be reported to this committee in midsummer 2023 as this information will inform the committee of what we can or cannot do in relation to each property in terms of income generation or alternate uses of the properties.

Byelaws

The Natural Environment Division have established a Byelaw Review Group to examine the byelaws for each of the open spaces. However, due to the pressures on staff and the timing of the TOM Phase 2 proposals, this work will progress at a slower pace. The Comptroller and City Solicitor produced some detailed proposals for Epping Forest, which was selected as a pilot project, last year. The proposals cover topical issues of general application, such as the use of drones and personal electric vehicles, as well as local matters that are specific to Epping.

There is also an opportunity to revoke byelaws that are no longer needed, and to update some of the historical language, whilst focussing on those changes that will have the biggest impact. These proposals are still being considered. The issues raised are complex, and may in some case be contentious, which is a reason for taking our time to complete this review. Any new byelaws (which create new criminal offences) must be necessary and proportionate and comply with the relevant statutory framework and the available guidance. Further reports will be brought back to committee in due course. We will also need to liaise with The Department for Levelling Up, Housing and Communities and carry out a period of public consultation at the appropriate stages. It is hoped that the pilot project at Epping Forest can be progressed over the summer and autumn, followed by the other open spaces in order of priority.

Policy and Projects Update

- Natural Environment Strategy – Previous strategy work across key themes affecting Natural Environment has been combined in a single draft document. A final draft Strategy will be presented to Members in May 2023
- West Ham Park - The commercial agreement with the preferred developer of the former nursery site is currently being finalised and pre-application discussion with LB Newham and relevant statutory agencies has commenced.
- Monument – A feasibility study in relation to a Monument Visitor Centre, which could be delivered with a development partner through the Planning process, is underway and is due for completion in April 2023.
- Wanstead Park – The Wanstead Park Ponds project is progressing towards Gateway 5, whilst a decision from the GLA on funding to support a prospective SUDs project at the Park is expected at the end of March 2023. The activities at the Grotto and Landing Stage have been combined into a single project, with new project governance and documentation in place.

Corporate & Strategic Implications

All 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

Not applicable

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

Not applicable

Equality Implications

No impact.

Security Implications

Not applicable

Appendices

Appendix 1

Appendix 2 – *To Follow*

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