

<b>Committee(s):</b> Epping Forest and Commons	<b>Dated:</b> 23/11/2023
<b>Subject:</b> Proposed Installation of Deer 'exclosure' Plots (SEF 18/23)	<b>Public</b>
<b>Which outcomes in the City Corporation's Corporate Plan does this proposal aim to impact directly?</b>	11
<b>Does this proposal require extra revenue and/or capital spending?</b>	Y
<b>If so, how much?</b>	<b>£13,000 one-off cost, plus annual maintenance of £500-£1,000</b>
<b>What is the source of Funding?</b>	<b>Local Risk Budget</b>
<b>Has this Funding Source been agreed with the Chamberlain's Department?</b>	Y
<b>Report of:</b> Bob Roberts, Interim Executive Director Environment	<b>For Decision</b>
<b>Report author:</b> Ben Rosendale – Visitor Experience Manager, Epping Forest	

### Summary

This report is necessary to seek Committee approval for the installation of thirty 'deer 'exclosure' plots' across Epping Forest and the Buffer Lands. 'Deer 'exclosure' plots' were recommended for scientific monitoring and public education purposes, as part of the Deer Management Strategy Review of 2021 adopted at your Committee of 8 March 2021.

Monitored over a period of a few years, in combination with deer counts and regular vegetation damage assessments, the plots will provide an indication of the impact of deer grazing on the Forest understorey and tree regeneration.

Monitoring of these plots will form part of the wider programme of deer impact monitoring, the results of which will inform future deer management plans to better meet the needs of the Forest.

### Recommendation(s)

Members are asked to:

- Approve the installation of thirty 'exclosure' plots at selected sites across Epping Forest and the Buffer land at a cost of £11,000 (+ £2,000 for interpretation panels) and annual maintenance costs of between £500-£1,000 per annum over 5 years.

## Main Report

### Background

1. Section 4 of the Epping Forest Act 1878 makes all deer in the Forest the property of the Conservators, to be preserved as 'objects of ornament'. However, section 7(3) of that Act also requires the Conservators to protect the 'timber and other trees, pollards, shrubs, underwood, heather, gorse, turf, and herbage growing on the Forest'.
2. Epping Forest officers manage the deer population on the Buffer Lands and within the Birch Hall Deer Park (Deer Sanctuary) as recommended by the Epping Forest Deer Management Strategy Review and overseen by your Committee's Deer Management Oversight Group (DMOG).
3. Epping Forest has a sizeable number of Fallow Deer (*Dama dama*) and a growing population of Reeves Muntjac Deer (*Muntiacus reevesi*). The 2021 Deer Management Strategy Review recognised the damaging impact through grazing and browsing by deer on the ecology of the Forest particularly the regeneration of tree and understorey species and recommended the installation of 'exclosure' plots

### Current Position

4. There are presently no 'exclosure' monitoring plots in Epping Forest and only one on the Buffer Lands. They are referred to as 'exclosures' rather than 'enclosures' because their purpose is to exclude deer (and to a lesser extent other animals) rather than to enclose them.
5. A Deer Impact Assessment (DIA) Survey was carried out in 2019, and a further DIA survey has been commissioned and completed for 2023-24. These show that deer are having a significant impact on woodland understorey regrowth and are inhibiting regrowth of trees across the northern Forest and Buffer Lands.
6. While some level of browsing by deer and other animals can be beneficial to habitat regeneration and maintenance, a high level of browsing negatively impacts habitats. There is no control point or benchmark by which to gauge the rate of regrowth that is without impact from the present deer population.
7. Deer drone surveys have also been commissioned for 2023 (November). DIAs and drone surveys provide valuable information on deer populations within and around the Forest, and the information from the proposed deer exclosure plots will help create a more complete data set.
8. The proposed deer exclosure plots would be 4x4m plots, fenced to 1.5m high, to prevent deer from grazing or browsing within each exclosure enabling the study of the impact of deer grazing or browsing on representative habitats. Monitored over a period of a few years, in combination with deer counts and regular

vegetation damage assessments, the plots will provide an indication of the impact of deer grazing/browsing on the Forest understorey.

## Options

9. Install deer monitoring 'exclosure' plots at a cost of £11,000 to support the assessment of deer grazing/browsing impacts to help guide management levels for deer numbers. **This option is recommended.**
10. Do not install deer monitoring 'exclosure' plots, relying instead on other assessment techniques. This would save £11,000 but would not provide the same level of data. **This option is not recommended.**

## Proposals

11. The installation of thirty deer 'exclosure' as per Forestry Commission guidance on deer management best practice would provide additional information on the impact of grazing/browsing by deer and cattle across the Forest. The 'exclosure' plots will be located mainly in glades and or open areas free from shade across 25 locations within the Forest and Buffer Lands.
12. A further 5 'exclosure' plots will be located in areas of predominantly beech woodland in a mixture of shaded and open areas to form part of longer-term monitoring, owing to the slower rate of regeneration in Beech woodland environments.
13. Interpretation signage will be affixed to all exclosures informing the public of their purpose. Exclosures will be placed to avoid intrusion on the public, this will be done by where possible placing them away from well used paths and desire lines.
14. Yearly fixed-point photography will be used to monitor the sites and contribute to the greater understanding of deer impact across the Forest, including vegetation surveying where appropriate. The results of plot monitoring will feed into the development of future Forest Deer Management plans and help inform officers as to the effectiveness of those management plans.
15. Regular monitoring of the plots will be undertaken to ensure that their effectiveness is not undermined by vandalism or damage. This is anticipated to be on a 3month cycle.
16. The exclosure plots will be constructed to meet the Forestry Commission's design specification. This specification will mitigate the risk of wildlife becoming trapped in the plots, through the use of appropriate size mesh and height of fencing.
17. Natural England consent has been sought and granted in principle for these 'exclosure' pending detailed location maps. It is proposed that these 'exclosure' plots remain in situ until such time and the monitoring is no longer required or that they are no longer useable for monitoring purposes and will be re-sited to other suitable locations.

## Key Data

18. Thirty deer monitoring 'enclosure' plots would be created across the Forest and Buffer lands to enable monitoring of regrowth free from browsing pressure.

## Corporate & Strategic Implications

19. **Strategic implications** – The proposal will help to inform the long term protection of the Forest environment from over grazing by deer and contributes to the Corporate Plan *Shape outstanding environments*.
20. **Financial implications** The cost of materials for these enclosures will be £11,000 + £2,000 for interpretation panels. Additionally there will be estimated annual maintenance costs of approximately £500-£1000 pa. These costs will be met from Epping Forest local risk budget.
21. **Resource implications** – Epping Forest staff will be responsible for any ongoing maintenance. However, they are not resourced to install the number enclosures that are required, so contractors will be brought in to do this.
22. Further resource from the Keeper/ Volunteer teams will be required to monitor the plots between surveys. This is estimated at 5 days per year and could be completed by a volunteer or assistant keeper given suitable training.
23. The monitoring could also be included in any future Deer Impact Assessments commissioned from contractors depending on staff availability.
24. **Legal implications** - There is a general duty under section 7(1) of the Epping Forest Act 1878 to keep Epping Forest unenclosed. However, section 33(1)(iii) of that Act empowers the Conservators to make enclosures for certain purposes, including to manage the timber and other trees, pollards and underwoods, and to plant trees and shrubs for shelter or ornament.
25. The most relevant power for present purposes though is contained in section 7(1) of the City of London (Various Powers) Act 1977, which provides that:
  - (1) *For so long as the Conservators consider it necessary to do so for the purposes of the regeneration of any part of parts of Epping Forest to preserve the natural aspect thereof, or of the protection of the Forest as an open space for the recreation and enjoyment of the public, the Conservators may from time to time—*
    - (a) *by notices posted at such places in the Forest as they think fit, restrict or prohibit access to any such part of parts of the Forest;*
    - (b) *enclose such part or parts of the Forest and suspend the rights of common over the lands enclosed and all other rights the exercise of which will in their judgement be inconsistent with the objects of such enclosures.*

26. The area of Forest which can be enclosed for these purposes is limited by section 7(2) to 100 acres, but clearly the current proposals fall far within that. Likewise, there are additional notification and consultation requirements where the area to be enclosed exceeds 2<sup>1</sup>/<sub>2</sub> acres, but again the current proposals are not extensive enough to trigger this requirement. Notices will need to be displayed as per section 7(1).

27. **Risk implications** – There is a risk of the plots suffering from damage, due to a lack of understanding over their purpose. This should be mitigated with adequate signage.

The risk of wildlife becoming trapped within enclosures, is mitigated by the design and construction of the plots.

28. **Equalities implications** – Not Applicable

29. **Climate implications** – Browsing and grazing by deer have a negative impact of tree and understorey regeneration and therefore scientific data from “enclosure” plots acting as scientific controls will help guide the management of the Forest to better manage Carbon Sequestration.

30. **Security implications** – N/A

31. **Charity Implications:** 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.

## **Conclusion**

32. The installation of ‘Deer ‘enclosure’ plots will secure the better monitoring of the impact of deer on the Forest and Buffer Lands to inform future management plans and to assist in analysing their effectiveness. The plots could also provide a valuable interpretive and educational tool highlighting the negative impact of high levels of deer grazing/browsing on Forest vegetation.

**Appendices** - None

## **Background Papers**

Deer Management Strategy SEF 07/21b EF&CC 8/3/21

## **Ben Rosendale**

Visitor Experience Manager – Epping Forest / Environment Department

T: 07544 656 862

E: [Ben.rosendale@cityoflondon.gov.uk](mailto:Ben.rosendale@cityoflondon.gov.uk)