

EPPING FOREST & COMMONS COMMITTEE
Thursday, 19 September 2024

Minutes of the meeting of the Epping Forest & Commons Committee held at
Committee Room - 2nd Floor West Wing, Guildhall on Thursday, 19 September
2024 at 10.00 am

Present

Members:

Benjamin Murphy (Chairman)
Caroline Haines (Deputy Chairman)
Verderer Nicholas Munday

In Attendance:

Verderer Michael Chapman
Verderer William Kennedy
Alderman Sir Nicholas Lyons
Verderer Paul Morris

Officers:

Clem Harcourt	- Chamberlain's Department
Pauline Mouskis	- Chamberlain's Department
Simon Owen	- Chamberlain's Department
Jack Joslin	- City Bridge Foundation
Anna Cowperthwaite	- Comptroller and City Solicitor's
Brianna Paterson	- Comptroller and City Solicitor's
Emily Brennan	- Environment Department
Tanith Cook	- Environment Department
Simon Glynn	- Environment Department
Joanne Hill	- Environment Department
Jo Hurst	- Environment Department
Alex MacDonald	- Environment Department
Geoff Sinclair	- Environment Department
Katie Stewart	- Environment Department
Heinz Traut	- Environment Department

1. APOLOGIES

The Deputy Chair took the Chair in absence of the Chairman.

Apologies were received from George Abrahams, Jaspreet Hodgson, Alderman Vincent Keaveny, CBE, Gregory Lawrence, Alderman and Sheriff Bronek Masojada, Eamonn Mullally, David Sales and Philip Woodhouse.

2. MEMBERS' DECLARATIONS UNDER THE CODE OF CONDUCT IN RESPECT OF ITEMS ON THE AGENDA

No declarations were made.

3. **MINUTES**

RESOLVED – That, the public minutes and the non-public summary of the meeting held on 18 July 2024 were approved as a correct record.

4. **MATTERS ARISING**

4.1 ***Action Log**

Members received the Action Log and, during the discussion the following points were noted:

- a) Deputy Chair requested an update on Action 2023-2: Target Operating Model Review. Officers reported a brief update, including staff survey results, was going to be prepared for the next meeting.
- b) Officers reported that Action 2023-5: Corporate Plan and Strategies would be picked up at an Away Day in the future.
- c) Officers noted, with regard to Action 2024-7: Funding that a tender scope had been in production for suppliers to undertake review of opportunities regarding BNG and other nature markets and was due to go out by end of September.
- d) Officers noted that there was a risk paper and the updates against Action 2024-8: Risk Management were to close the action.
- e) Officers suggested, regarding Action 2024-9: Phone-In Reporting Service, they would bring an update report to Committee in January 2025.
- f) Deputy Chair sought an update on Action 2024-11: The Commons. Officers noted the anomaly in the tree figures published by the Corporation and the Ancient Tree Forum was due to ATF having more historic data and this had been highlighted in Assistant Director's report.

5. **WREN GROUP PRESENTATION - NATURAL CONSERVATION AND RESILIENCE**

The Chairman reassumed the Chair of the meeting following his arrival.

The Committee received a presentation from Tim Harris of the Wren Group.

During the discussion, the following points were made:

- a) The Committee considered how survey work done by Wren Group informed planning work the charity was doing from a conservation perspective. Officers noted that with the conservation team's resource

increase, there may opportunity for increased collaboration and discussing recommendations.

- b) Tim Harris reported the Wren Group was in contact with the Field Study Council regarding moths, but not on a general basis.
- c) The Committee queried what was happening to the bat population. Tim Harris indicated that bat surveys had been done in Wanstead Park and there seemed be healthy populations but cautioned they had not been surveyed on a systematic basis.
- d) Officers indicated they were planning to reach out to volunteer bat groups in London and Essex and who may be interested in supporting survey work.
- e) Officers assured they would report back on bat populations in The Commons in the next Assistant Director's report going to Committee.

6. CLIMATE ACTION STRATEGY - CARBON SEQUESTRATION UPDATE (VERBAL UPDATE)

The Committee received a verbal update on the Carbon Sequestration.

The Chairman informed the Committee a full report on Carbon Sequestration would go to the November 2024 meeting of Committee.

7. INCOME GENERATION (VERBAL UPDATE)

The Committee received a verbal update on income generation by the Natural Environment Director.

Officers confirmed there would be an update to Committee on Income Generation in January 2025.

8. UPDATE ON ASSET LIABILITIES AND INSURANCE (VERBAL UPDATE)

The Committee received a verbal update on asset liabilities and insurance from the Assistant Director (Superintendent) of Epping Forest.

During the discussion, the following points were made:

- a) The Committee indicated a report in future on a rolling basis would be useful.
- b) A Member of the Committee explained they had been monitoring areas of subsidence, which tended to occur on the edge of forests, and records were being kept on covering where subsidence had occurred.
- c) Officers noted there was a vegetation against property policy which had been reviewed with the insurance team.

9. PROJECT PRIORITISATION PROCESS

The Committee received a report which proposed a project prioritisation process for the various Natural Environment charities listed in Epping Forest and Commons Committee which would inform the development and implementation of the five-year business plan.

Officers informed that the Project Prioritisation Process would be applied to each of the charities for which Epping Forest & Commons Committee had authority to act for and on behalf of the City Corporation as charity trustee. Members were asked to take the decisions on the recommendations in the report for each of the charities separately, i.e., for and on behalf of the City Corporation in its separate capacity as Trustee of the following charities: Epping Forest (charity number 232990), Ashted Common (charity number 1051510), Burnham Beeches and Stoke Common (charity number 232987), Coulsdon and Other Commons (charity number 232989) and West Wickham and Spring Park Wood (charity number 232988). Charity law obliged Members to ensure that the decisions they take in relation to a charity are taken in the best interests of that charity.

Officers also requested a decision in relation to prioritisation of projects that related to the buffer land, having regard to the Committee's governance responsibilities of that land.

Officers also noted that the legislation referred to in paragraphs 3 and 7 of the report included the various governing documents for the charities and charity law and guidance. Projects would be considered in light of the charities' objects and governing documents as appropriate and relevant; for example, whether they are compatible with and in furtherance of the charity's objects. That would be relevant to the consideration in the matrix of whether the project is essential for operations. The inclusion of the charity objects category in the matrix helped to clarify which, and how many, of the objects were engaged; the analysis would be specific to each charity and its relevant objectives. A note to this effect would be added to the document in Appendix 2.

The Natural Environment Director also requested that Members agree a recommendation as follows: Authorise the Executive Director of Environment to make minor amendments to the matrix to take on board comments/feedback arising from its consideration by the different Natural Environment management committees.

During the discussion, the following points were made:

- a) Members considered how project prioritisation process would operate in practice and how informed decisions would be made. Officers explained that the process would be agreed by Members, applied by Officers and feed into the business planning process for each charity allowing them to prioritise projects and assign resources where needed.
- b) Officers noted the business plan would go to Committee to be agreed.

- c) The Committee cautioned reducing process to mechanistic scoring as it can lead to least bad outcome but not necessarily the best and noted it was key to have opportunity at the end of the year to assess the prioritisation scoring against the final output.
- d) The Committee noted there was concern regarding an overreliance on income generation going forward. Officers noted that activities will not be solely income generation focussed, but the broader context was that the major funder, City's Estate, was under pressure. Therefore, over a longer period, there is the possibility that less cash to run some open spaces would be available.
- e) The Committee reiterated that, in line with trustee duties for the Epping Forest charity, it was essential that the charity remained financially sustainable, hence the focus on income generation and identification of potential, supplementary income streams.

As the Committee was formally inquorate for business relating to the Commons, it was only able to take a decision on the project prioritisation criteria and process relating to the Epping Forest charity.

RESOLVED – Members, approved the proposed project prioritisation criteria and process relating to Epping Forest, and authorised the Executive Director of Environment to make minor amendments to the matrix to take on board comments/feedback arising from its consideration by the different Natural Environment management committees.

10. **EPPING FOREST - ASSISTANT DIRECTOR'S REPORT**

The Committee received the Assistant Director of Epping Forest's update which summarised Epping Forest's progress against objectives for the period of April-June 2024 with updates of note.

During the discussion, the following points were made:

- a) The Committee sought clarity on whether the new arborers team had completed a lot of the dangerous tree work or had the risk been categorised. Officers reported it was a combination and the re-prioritisation process the new manager had taken on board had reduced the backlog significantly.
- b) In response to questions from Committee about driver of reclassing the risk of dangerous trees, Officers informed that good practice of tree surveying could be subjective and a review by the new arborers manager had concluded a reduction in the risk of some trees.
- c) A Member suggested it may be helpful to include names where new appointments have been made at Epping Forest to ensure accountability. The Chairman explained data protection was the explanation for the lack of names, but a chart would be circulated to Members with key contacts.

- d) Another Member suggested it would be useful to meet staff members working at Epping Forest and indicated Committee visits may not be the best way to do it. Officers indicated they were encouraging staff to attend Committee visits. The Chairman suggested this be considered outside the meeting.
- e) The Committee expressed the need for new members of staff to complete health and safety training as part of their induction as health and safety policies were not well embedded in day-to-day activities. Officers indicated an audit was underway on policies and procedures currently in place.

RECEIVED.

11. DRAFT EPPING FOREST TRUSTEE'S ANNUAL REPORT AND FINANCIAL STATEMENTS FOR THE YEAR ENDED 31 MARCH 2024

The Committee received a draft version of the Trustee's Annual Report and Financial Statements for the year ended 31 March 2024 for the Epping Forest charity.

RECEIVED.

12. OPERATIONAL FINANCE PROGRESS REPORT 2024/25 (PERIOD 3 APRIL - JUNE) - EPPING FOREST

The Committee received an update on the operational financial position for Period 3 which set out the Epping Forest charity's revenue operating budget position to date and projected year-end outturn, current live capital projects and outstanding debt position.

During the discussion, the following points were made:

- a) The Chairman sought clarity over the £62k overspend. Officers indicated it was a small variance of less than 1% against the total budget for the year. The Chairman emphasised that changes needed to be made throughout the year to remain within budget.
- b) The Chairman reiterated a need to understand cost-allocation keys and allocated costs from the centre and going up and the local risks was going down to ensure the charity was getting value for money as resources became more constrained. Officers indicated they would review this with Chamberlains' to provide reassurance.
- c) The Committee considered why the £149K was lower than the originally budgeted income forecast from rents and wayleaves. Chairman explained there was an expectation a large development would be approved by Epping Forest District Council that did not emerge but indicated that may happen soon.

- d) A Member queried why outstanding debts over more than one year had not been written off. Officers explained a large amount of the debt related to an amount owed by a single debtor and there was a bad debt provision held against the debtor should the debt be written off.
- e) Officers noted the new methodology for reallocating central costs and costs seem to have gone down as part of whole mechanism being reviewed and this review would be going to the September Finance Committee.

RECEIVED.

13. **UPDATE ON APPRENTICESHIPS**

The Committee received a report providing information on the corporate apprenticeship programme in relation to Epping Forest and the Commons and detailing the existing apprenticeship roles and information on options for new apprenticeships and employee development.

During the discussion, the following points were made:

- a) The Chairman emphasised the importance of apprenticeships to succession planning.
- b) The Committee considered whether the charity was proactively reaching the hard to reach and developing proactive partnerships in areas of high deprivation. Officers indicated they would seek a response on specifics, but noted Human Resources were working to reach those communities and had been considered in the Business Plan going forward.
- c) A Member considered whether the salary levels were sufficient for apprentices to live in the Epping Forest area. Officers reported it was around £17-18k a year.

RECEIVED.

14. **THE COMMONS - ASSISTANT DIRECTOR'S UPDATE**

The Committee received the Assistant Director of The Commons' update which presented key data for Burnham Beeches and the Commons for the period April – June 2024.

During the discussion, the following points were made:

- a) The Chairman noted the usefulness of recent visits and encouraged all Members to enjoy and understand the sites operationally.

RECEIVED.

15. DRAFT ASHTEAD COMMON TRUSTEE'S ANNUAL REPORT AND FINANCIAL STATEMENTS FOR THE YEAR ENDED 31 MARCH 2024

The Committee received a draft version of the Trustee's Annual Report and Financial Statements for the year ended 31 March 2024 for the Ashtead Common charity.

RECEIVED.

16. DRAFT BURNHAM BEECHES AND STOKE COMMON TRUSTEE'S ANNUAL REPORT AND FINANCIAL STATEMENTS FOR THE YEAR ENDED 31 MARCH 2024

The Committee received a draft version of the Trustee's Annual Report and Financial Statements for the year ended 31 March 2024 for the Burnham Beeches and Stoke Common charity.

RECEIVED.

17. OPERATIONAL FINANCE PROGRESS REPORT 2024/25 (PERIOD 3 APRIL - JUNE) - THE COMMONS

The Committee received an update on the operational financial position for Period 3 which set out the Commons' charities revenue operating budget position to date and projected year-end outturn, current live capital projects and outstanding debt position.

During the discussion, the following points were made:

- a) The Chairman highlighted that the income from filming was having a significant impact. Officers indicated they needed to do more thinking on how they could make more from filming and noted it was a risk as well as an opportunity.
- b) A Member noted that larger feature films in scale appeared to broadly create less issues and were well managed.
- c) The Chairman indicated it would be good to see where SAMMS income from local authority development and where it was being spent as Member oversight of expenditure from those funds was important.

RECEIVED.

18. RISK MANAGEMENT UPDATE REPORT

The Committee received a report aiming to provide assurance that risk management procedures in place within the Environment Department were satisfactory and met the requirements of the Corporate Risk Management Framework and the Charities Act 2011.

As the Committee was formally inquorate for business relating to the Commons, it was only able to take a decision on the risk register relating to the Epping Forest charity.

RESOLVED – That – Members confirmed, on behalf of the City Corporation as Trustee, that the risk register for the Epping Forest charity appended to the report satisfactorily set out the key risks to the charity and that appropriate systems were in place to identify and mitigate risks.

19. QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE

No questions were raised.

20. ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT

No other business was raised that the Chairman considered urgent.

21. EXCLUSION OF THE PUBLIC

RESOLVED – That, the following matters relate to business under the remit of the Court of Common Council acting for the City Corporation as charity Trustee, to which Part VA and Schedule 12A of the Local Government Act 1972 public access to meetings provisions do not apply. The following items contain sensitive information which it is not in the best interests of the charity to consider in a public meeting (engaging similar considerations as under paragraphs 3 and 5 of Schedule 12A of the 1972 Act) and will be considered in non-public session.

22. NON-PUBLIC MINUTES

RESOLVED – That, the non-public minutes of the meeting held on 18 July 2024 were approved as a correct record.

23. MATTERS ARISING

23.1 *Action Log

Members received the non-public Action Log.

24. PROPOSAL TO LINK THE WEST WICKHAM COMMON & SPRING PARK WOOD CHARITY WITH THE COULSDON AND OTHER COMMONS CHARITY

The Committee received a report of the Chamberlain.

25. EPPING FOREST LODGE APPRAISAL (SEF 16/24)

The Committee received a report of the Executive Director of Environment.

26. DEER MANAGEMENT OPERATIONS (SEF 15/24)

The Committee received a report of the Executive Director of Environment.

27. **CHILTERN AONB BOUNDARY REVIEW AND CROW ACT STATUS OF BURNHAM BEECHES**

The Committee received a report of the Executive Director of Environment.

28. **NON PUBLIC QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**

There were no questions.

29. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT AND WHICH THE COMMITTEE AGREE SHOULD BE CONSIDERED WHILST THE PUBLIC ARE EXCLUDED**

There were no items of business in non-public session that the Chairman considered urgent.

30. **CONFIDENTIAL MINUTES**

RESOLVED – That, the confidential minutes of the meeting held on 18 July 2024 were approved as a correct record.

The meeting ended at 12.19 pm

Chairman

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