

Committee(s): Epping Forest and Commons Committee	Dated: 23/01/2025
Subject: Licences fees and charges 2025/26 (SEF 02/25)	Public
Which outcomes in the City Corporation's Corporate Plan does this proposal aim to impact directly?	2,3,4
Does this proposal require extra revenue and/or capital spending?	N
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: Katie Stewart, Executive Director of Environment	For Decision
Report author: Brian Pallett, Epping Forest Wayleaves and Licensing Officer	

Summary

This report makes proposals for the setting of fees and charges for activities in Epping Forest for the forthcoming financial year of 2025/26.

This report also updates your Committee on the performance of charges levied for licensed activities, produce sales, formal sports, and car park charges in the last full financial year 2023/24.

In 2023/24 the licensing of activities and product sales on Forest Land raised a total of £280,593. This is a reduction from the previous year total of £545,219, which is attributed to a reduction in filming due to the Hollywood Writers Strike and less requirement of regulatory licensing.

Car park charges raised a total of £427,279 net. There is a recommendation in this report to put up car parking charges, as the prices have remained static since May 2021.

Charges for formal sports across 2023/24 raised a total of £556,907 with Association Football and Golf gross income totalling £73,330 and £483,577 respectively. An increase on the previous year of £73,816 as sports recover from the Covid Pandemic. We don't believe this will be a continued trend.

All income from produce, licences and charges are fully reinvested in the management of Epping Forest with all income credited to the charity's local risk budget.

Proposals are presented for a price increase of 3.4% for the financial year 2025/26, based on the RPI for the month of October (2024) as has been the basis for uplifts in previous years.

Recommendation

Members are asked to:

- Note the income generated in 2023/24 from charged activities in Epping Forest and
- Agree the proposed licence fees for 2025/26 as itemised in Appendix 2.
- To delegate powers to the Superintendent to, on occasion, make minor variation to these fees in respect of filming and other licensing where it appears to the Superintendent that the scale of the activity and impact upon the Forest indicates that a different fee is required in order to ensure an appropriate contribution towards the costs incurred by the Conservators in connection with Epping Forest.

Main Report

Background

1. This report encompasses several different activities on Forest Land for which a charge is levied. The charges are made to legally record the use and generally seek to reflect the costs incurred by the City of London Corporation (in its capacity as Conservators of Epping Forest) in administering and enabling the activity. Income is reinvested into the management of the Forest in accordance with the City Corporation financial regulations.
2. Licences are administered through a steering group of officers to ensure that all relevant sections and staff are consulted before a decision is made and to ensure there is an equitable decision-making process for any customer.
3. All activities are regulated with due regard to the Conservators' duties under the Epping Forest Acts 1878 and 1880 and any other relevant statutory provisions.

Current Position

4. Licensing activity on Forest Land raised £238,938 in 2023/24 as detailed in Appendix 1. This is a reduction from the previous year total of £545,219, which is attributed to a reduction in filming due to the Hollywood Writers Strike and less requirement for regulatory licensing.
5. The decrease in filming revenue in the 2023/24 year is believed to be a direct result of the Hollywood Writers Strike between 2 May 2023 - 27 September 2023.
6. Car park charges raised a total of £427,279 net of commission.
7. £41,655 was made from the sale of produce (venison, beef and wood) in 2023/24. The sold produce is ancillary to the conservation work and

management activities at Epping Forest conducted by the Conservators. The value of these products is dictated by market forces and the income is reported annually (Appendix.1).

8. Charges for formal sports across 2023/24 raised a total of £556,907 gross income. Of this, the golf course made a net profit of £121,518 on its local risk budget.
9. Bench sponsorship during 2023/24 raised a total of £8,586.
10. A total of £1,273,364 was generated through charging in 2023/24.

Options

11. Option 1

- To increase licence fees by 3.4% in line with the RPI, as detailed in Appendix 2. It is proposed that the licence fee for horse riding also be increased by 3.4%. The RPI figure is the maximum permitted under the Additional Byelaws for the Regulation of Horse Riding.
 - To increase the car park charging from 1 September 2025 to the prices shown in Appendix. 2. This is an average across all stay options of 14%, annual permits will rise by 12%.
 - To increase sports charges for golf shown in Appendix 4.
 - Agree to delegate powers to the Superintendent to make minor variations (of 20% or less) to these fees in respect of filming and other licensing where appropriate, for example where the scale of the activity and impact upon the Forest indicates that a different fee is required in order to ensure an appropriate contribution towards the costs incurred by the Conservators in connection with Epping Forest. **This is recommended.**
12. Option 2 - To keep charges as they are. This would be in effect a real terms price cut whilst inflationary increases would still apply to our own expenses, which would be a disbenefit to the Charity. This effective reduction in income would need to be absorbed by Epping Forest's local risk budget. **This is not recommended.**

Proposals

13. Proposed charges for 2025/26 are itemised in detail in Appendix 2. The list of charges has been made as complete as possible to ensure all areas of charging are included. Upon your Committee's approval these charges will be published on the City of London Corporation's website and be available by hard copy from the Epping Forest Offices. When setting fees and charges, officers considered the following factors:

- A figure of 3.4% has been proposed across Epping Forest and the Commons charities based on the October 2024 RPI figure published by the Office for National Statistics.
- The benchmarking of the charges and quality of provision is with those of neighbouring facilities, which in many instances are our competitors.
- Charges are made as far as possible to attain full cost recovery, recognising that staffing, equipment, and material costs may have increased greater than 3.4% in some cases.

14. Car parking charges on Epping Forest will be increased during the financial year 2025/2026, with the proposed increase to take effect from the 1 September 2025. Car park figures have remained static since May 2021 when car park charging was introduced across the entire Forest. Bench marking against comparable sites can be found in Appendix.3, noting this does not account for increases in 2024/25 by comparable sites. The proposed charges are considered reasonable and still represent good value.

15. Increase to football charges were agreed in July by your Committee to raise fees by 15% over the next 2 years and Golf fees will increase in relation to bench marking with competitor courses as outlined in Appendix.4.

16. There are occasions where the scale of the activity and impact upon the Forest do not sit neatly with the licence guidelines, for example, major feature films which are only requiring small scale background shots or large scale events which cross Forest but aren't contained wholly upon it so the impact is minor. On such occasions the delegation of powers to the Superintendent to make minor variation to the set fees is requested in order to ensure an appropriate contribution towards the costs incurred by the Conservators in connection with Epping Forest.

Key Data

Corporate & Strategic Implications Corporate Plan

17. Flourishing Public Spaces

Natural Environment Prospectus

18. Charity Income Strategy.

Financial implications

19. City Corporation financial regulations provide that 'When determining fees and charges to persons or external organisations, all departments should recover full costs or submit reasons to the appropriate Service Committee when that

objective is not met. The Duty to recover costs must be subject to any other overriding statutory provision.

Legal Implications

20. Horse riding on Epping Forest is regulated under sections 9 and 10 of the City of London (Various Powers) Act 1990 and by the Additional Byelaws for the Regulation of Horse Riding allowed on 14 May 2003. The Conservators may make reasonable charges for the riding or exercising of horses, by reference to the reasonable cost of the maintenance of ways designated for horses, and the reasonable cost of providing the regulatory regime. Any increases to the charges are limited to no more than the increase in the Retail Prices Index for the period that has elapsed since the charges were last fixed. The Conservators shall take all reasonable steps to notify the public of the revised charges not less than fourteen days before they take effect.
21. Section 33(1)(i) of the Epping Forest Act 1878 (“the 1878 Act”) empowers the Conservators, “To fell, cut, lop and manage in due course the timber and other trees, pollards and underwoods, and to sell and dispose of the timber cuttings and loppings, and to receive the proceeds...”
22. Trading that is carried on by a charity in the course of carrying out a primary purpose of the charity is known as “primary purpose trading”. The sale of produce as a by-product of land management activities by the Epping Forest charity would constitute primary purpose trading. This means that the charity may trade more or less freely in pursuit of its charitable objectives.
23. In its role as trustee of the Epping Forest Charity, the City Corporation is under a duty to act solely in the best interests of the charity. This will normally mean obtaining the best price for produce that can be achieved in the market. However, it may be appropriate in some cases to donate produce, or sell it at a discount, where this is an effective way of using the charity’s resources to further its charitable purposes or is otherwise in the charity’s best interests.
24. Section 33(1)(xiii) of the 1878 Act empowers the Conservators to set apart such parts of the Forest as they think fit for the use of the inhabitants to play at sports. Section 76(1)(b) of the Public Health Acts Amendment Act 1907 allows the Conservators to set apart any such part of the Forest as may be fixed for the purpose of any game or recreation, and to exclude the public from the part set apart while it is in actual use for that purpose; and under section 56(5) of the Public Health Act 1925 the Conservators may charge reasonable sums for the use thereof.
25. Under section 8 of the City of London (Various Powers) Act 1977 the Conservators may provide facilities and services for the purpose of providing or improving opportunities for the enjoyment of the Forest by the public, which would include the provision of instructors or guides, and parking places for vehicles, and may make reasonable charges for those facilities and services.

26. Section 7 of the City of London Corporation (Open Spaces) Act 2018 provides powers to hold and charge for events on Forest Land, including film production, having regard to an agreed events policy.

Property Implications

27. The granting of personal licences does not constitute alienation of Forest Land for the purposes of the 1878 Act and is not therefore prohibited so long as the Forest is preserved. Regulating such temporary uses is considered to be the best way of preserving the Forest and avoids any possibility of any prescriptive rights being acquired. As above, the Conservators must generally ensure that any licence granted is on the best terms reasonably obtainable for the Epping Forest charity or is otherwise in the charity's best interests.

28. Licensing various 3rd party temporary activities that the City Corporation is willing to permit upon the Forest should ensure that the City Corporation retains full and proper control of the Forest and able to prevent misuse.

Charity Implications

29. 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.

Resource Implications

30. Fees and charges, with the exception of football which remains subsidised, reflect the whole cost to the charity and seek to, as a minimum, provide whole cost recovery.

Risk Implications

31. The alteration of the charging structure for compounds and trenching will in some cases be a significant additional cost to, in the main, utility providers. However, the charges reflect the true cost to the charity of work done on the land by private commercial utility companies.

Equalities Implications

32. Charitable and not for profit organisations receive a 50% discount on most fees and charges. This allows smaller and large charitable organisations and community groups to use the Forest at a lower cost whilst still meeting the core costs to the Epping Forest charity from the impact of that activity.

33. Providing consistency in charging and decision making through the licencing of activities provides equality of opportunity to individuals and groups applying to use the Forest.

Climate implications

34. Licences seek to control the number, location and suitability of activities in Epping Forest to protect its environment. Sustainability criteria is included in heads of terms for larger events.

Security implications

35. Licences ensure that activities held on Epping Forest land comply with all health, safety and other relevant legislation and enables basic due diligence to be undertaken on the licensee.

36. The Open Spaces Events Policy does not allow:

- i. Events which could be damaging to community relations
- ii. Events associated with extremist organisations or proscribed organisations
- iii. Events which are considered discriminatory or offensive
- iv. Illegal activities

Conclusion

43. Epping Forest continues to provide excellent value for money recreational opportunities. The charging proposals ensure that as a charity where possible our expenses incurred due to third party use of our land are recouped and reinvested into the maintenance of the Forest and that activities can be checked to ensure relevant safety and legislative measures are met.

Appendices

Appendix 1 – Income generated 2023/24

Appendix 2 – Proposed charges 2025/26, with 2024/25 figures alongside for reference.

Appendix 3 – Bench marking with comparable sites in reference to car parking and sports

Appendix 4 – Golf charges

Brian Pallett

Licensing and Wayleave Officer

T: 020 3834 8882

E: brian.pallett@cityoflondon.gov.uk