

Please note Part 2 report is now confidential appendix.

London Borough of Enfield

Portfolio Report

Report of: **Doug Wilkinson**

Subject: **[Enfield Beaver Re-introduction Project]**

Cabinet Members: **[Cllr Rick Jewell, Cllr. Ian Barnes]**

Executive Director: **[Sarah Cary]**

Ward: **[Chase]**

Key Decision: **[N/A]**

Purpose of Report

1. To present information regarding a proposed Beaver enclosed release trial at a site in Enfield.

Proposal(s)

2. That the Cabinet Member for Environment be asked to approve the commencement of a Beaver enclosure release trial in accordance with a Natural England Wildlife Licence Application, in collaboration with Capel Manor College who are the tenant (Enfield Council are the landlord) of the proposed site which is within Forty Hall Farm, as part of a wider Natural Flood Management (NFM) initiative.
3. That the Cabinet Member for Environment be asked to agree to the proposed project budget and development of a funding mechanism of corporate sponsorship and / or income generation developed alongside specific Non-Governmental Organisations (NGOs) and project partners.
4. That the Cabinet Member for Environment delegate authority to the Head of Highway Services to authorise the placing of orders through any of Highway Services existing relevant term contracts or to invite and evaluate tenders / quotations and, where suitable tenders / quotations are received, to award contracts for the works in compliance with the Council's procurement rules.

Reason for Proposal(s)

5. To achieve the following benefits and objectives:

6. Contribute to on-going national efforts to assess and monitor the reintroduction of an extinct native species to the UK through release into trial enclosures with conservation objectives, aligned to climate adaptation.
7. Monitor and assess the influence on the level of local landscape alteration and natural flood management (NFM) impact function through water attenuation.
8. Monitor and assess the impact on biodiversity and ecosystem service brought about by the introduction of a “key-stone species”.
9. Encourage the restoration of riparian and open water habitats and increase biodiversity along the river corridor.
10. Develop opportunities for ecotourism focussing on the benefits listed above and to engage, educate and inspire local communities, children and groups.
11. Demonstrate the applicability of a Beaver habitat in the outer London area as the first known Beaver trial in London, working in partnership with local organisations and communities.

Relevance to the Council’s Plan

12. The project meets the following aims of the Council Plan by:

- Creating opportunities to increase the number of people visiting and enjoying our parks and open spaces
- Working in partnership, the project demonstrates that the Council are open to working in collaboration with local businesses, communities, education providers and charities
- Supporting the cross cutting theme of Climate Action by enhancing the natural landscape, capturing carbon and improving biodiversity, as well as creating an opportunity to inspire and educate in this area.

Background

13. The Governments 25-year Environment Plan published in 2018 advocates greater use of Natural Flood Management (NFM) techniques to reduce the risk of harm from flooding.
14. In Enfield an NFM programme has been in place since 2017 to reduce the risk of flooding in the lower river catchments by using techniques to slow the flow in the upper catchments. It has delivered a range of measures which work together at the catchment level to mitigate flooding downstream such as woody dams, wetland scrapes and woodland creation. In Enfield most watercourses drain from the north / north-west to the south / south-east of the borough, flood alleviation interventions are required throughout the catchments to reduce risk.
15. The Enfield Chase Restoration Project links rewilding, landscape restoration and NFM, as part of this the London Borough of Enfield and Capel Manor College (as project partners) are proposing to work together on a project to reintroduce Eurasian Beavers (castor fiber) in an enclosed release trial in a selected suitable site on land owned by Enfield Council and leased by Capel Manor College. The trial would contribute to the wider NFM project and increase understanding of a UK native species through monitoring the impact on hydrology¹, landscape, water quality and biodiversity.

¹ The scientific study of the movement, distribution, and management of water

16. The proposed site is located on land which forms part of Enfield Council's leasehold estate, namely Forty Hall Farm, which is leased to Capel Manor College. The site is known locally as Archers Wood and is characterised as a mixed deciduous woodland area with a series of un-named watercourses running through it as well as the old abandoned course of the New River, it is sited at the northern boundary of the Forty Hall Farm property. It is bordered to the west by Whitewebbs Park and to the east by Tottenham Hotspur Football Club Training Ground. Whitewebbs Lane is located approximately 50m to the north. For the purposes of the project the site would need to be defined and suitably bounded by a fence to form an enclosure as specified under a Wildlife Licence administered by Natural England. See appendices for a plan of the above.
17. An initial feasibility study of the site was carried out by a beaver specialist, Derek Gow (Derek Gow Consultancy Ltd) in late 2019 and concluded that the proposed c.6ha site is suitable for a free-living population of Eurasian beavers with sufficient habitat in order to demonstrate their behavioural activities. Beavers typically prefer low-lying, productive riparian² environments with abundant food (certain tree species), deep water and friable burrowing banks, where the situation allows they will readily impound shallow narrow stream systems, old depressions and plains such as those present in the site. It is likely that their activity will combine to create a mixed open style woodland with retained water in a fen meadow style environment.
18. Similar enclosure trials are in place throughout the UK at multiple locations, including sites in Devon, Cornwall, Somerset, the South Downs and Essex; Enfield Council officers have visited some of these sites to explore the logistics and approaches employed. It is a requirement under the Wildlife and Countryside Act (1981) that the release of this species is controlled. It is proposed that the licensee will be the tenant (Capel Manor College), which the Council will support the application with technical and administrative assistance where required. The licence application requires information to be submitted such as method statements, enclosure details, exit strategies and animal health monitoring. Whilst there may be scope in the future for the species to be released with the right to remain and spread naturally this provision does not exist yet.
19. In accordance with a method statement for the project it is intended to release (subject to availability) a structured family group (a wild adult breeding pair and their yearling offspring). The translocation will be from Scotland, under a licence obtained from Scottish Natural Heritage by the project specialist consultant.
20. The enclosure will be formed by erecting a beaver proof fence, which will be constructed as a timber post and steel mesh arrangement to a height varying from 1.2m – 1.7m from ground level.
21. The proposed site is outside of the nearby Scheduled Monument area of Elsyng Palace and the Registered Park and Garden of Forty Hall; being outside these designations removes the inherent restrictions which they would place on the project. The site contains existing Public Rights of Way which will be retained, as well as permissive paths which will be retained as far as practicably possible. Details of the planned enclosure site location and layout is included in the appendices to this report.
22. Further internal consultation is required to establish the likely need for planning permission as the site is located within Forty Hall Conservation Area and the Whitewebbs and Forty Hill Archaeological Priority Area. The impact on these heritage designations is likely to be low, however this will still need to be determined.

² Situated on or adjacent to the banks of a river or stream

23. Neighbouring land owners and land users as well as other relevant stakeholders have been consulted on the proposals and no objections have been received.

Main Considerations for the Council

24. In order to ensure that the project has input from a broad range of professions and organisations it is proposed that the initiative is run in collaboration with Capel Manor College. A Memorandum of Understanding (MoU) will be agreed between the two organisations setting out the approach to the project. A draft copy of this document is included in the appendices. A summary of the lead organisations key roles and responsibilities are shown in the table below.

Capel Manor College
<ul style="list-style-type: none"> • Submit licence application to Natural England and acting as primary point of contact and licence holder for any agreement • Arrange logistics of beaver introduction such as acquisition, vet screen and delivery • Lead responsibility for beaver welfare and health (utilising specialists where necessary) • Monitoring and maintenance of site infrastructure consisting of specialist beaver enclosure fencing, gates and other watercourse features associated with the enclosure • Assist on monitoring surveys of the terrestrial and aquatic habitats and species (to be performed alongside college courses as appropriate) • Installation and maintenance of trail cameras • Jointly develop method statements and risk assessments for the project • Jointly develop on site signage and interpretation • Jointly deliver community engagement alongside any other project partners • Jointly facilitate and arrange project sponsorship and funding mechanisms
London Borough of Enfield
<ul style="list-style-type: none"> • Full approval of the project to be carried out on the site which is owned by Enfield Council • Obtain and administer all other necessary consents (Ordinary Watercourse consents) and others (other than Natural England licence) • Carry out and commission as necessary all feasibility studies including site suitability and baseline topographic surveys • Lead on hydrological monitoring and performance from a natural flood management perspective • Commission as necessary baseline and on-going surveys as necessary, including topography, ecology and water quality • Review and approve as necessary all required infrastructure as required such as water sluice gates, fences, gates and outlets – including ensuring that the site appropriately prepared. • Enfield's Watercourses team will be the lead contact for the project on behalf of the council and will facilitate communication with other Council departments such as Property Services • Jointly develop method statements and risk assessments for the project • Jointly develop on site signage and interpretation • Jointly deliver community engagement alongside any other project partners • Jointly facilitate and arrange project sponsorship and funding mechanisms

25. It is anticipated that many of the functions carried out by Capel Manor College will be performed as part of the colleges education and training programme and running of the farm.
26. Enfield Councils involvement in the project will cover landowner responsibilities as well as demonstrating and fulfilling the NFM and Climate Action objectives cited earlier in the report.
27. It is proposed that other non-governmental organisations will be utilised to perform actions around the project upon the instructions of the project partners. Thames 21 and Local Wildlife Trusts will be commissioned to perform water quality and ecological assessments respectively. The involvement of these organisations will enhance the community and education aspect of the project by involving volunteers. Particularly by aligning the project with wider partnership projects such as Restoring Enfield's Rivers, which will provide the opportunity to prepare aspects of the site for the project such as vegetation clearance prior to the fence installation.
28. The project will be jointly led by the two lead partnership organisations and this will be made clear on all publicising material and communications upon agreement of all parties. It is anticipated that a joint communications strategy will be developed and utilised.
29. The treatment of the site in relation to the existing lease which is held between London Borough of Enfield and Capel Manor College is dealt with later in this report.

Safeguarding Implications

30. Where the project provides interaction among the community for children, young people and vulnerable adults this will be carried out within the adopted policies of those organisations leading such activities.
31. It is anticipated that the project will deliver opportunities to provide a setting in which those at risk can seek an education through nature.

Public Health Implications

32. The proposal will have a positive impact on improving access to natural spaces by increasing the range of interest areas and in doing so contribute to narrowing the gap between those with the best and poorest health. The project will provide enhanced access to green space and natural world experience for populations with a wide range of abilities. Studies have shown that more time spent in green space is associated with greater mental health and vitality. Other studies have shown that visitors to natural environments significantly reduced both physical and psychological stress levels after the visit, as opposed to those who visited a more built up outdoor setting or indoor space.
33. The project will provide a setting and opportunity to inspire and educate people and enhance provision for social interaction by visiting the site on nature tours, citizen science opportunities or volunteering.
34. The site itself is accessible through an existing network of Public Rights of Way including footpaths / bridleways and permissive paths and will therefore be accessible by active and sustainable means of travel, with no provision for parking of vehicles in the immediate vicinity of the site. Therefore, promoting uptake of active travel and discouraging unhealthy lifestyle choices.

35. The project is being run and managed in collaboration with Forty Hall Farm, which is a certified organic farm run by Capel Manor College, the farm runs a community orchard, a market garden and a farm shop. This provision will be linked to project and thereby promote opportunities to link to these healthy eating initiatives.

Equalities Impact of the Proposal

36. The Public Sector Equality Duty requires the Council to have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act;
- advance equality of opportunity between people who share a protected characteristic and those who do not, and;
- foster good relations between people who share a protected characteristic and those who do not.

37. Advancing equality of opportunity mean having due regard to the need to:

- remove or minimise disadvantages suffered by people due to their protected characteristics;
- take steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people, and;
- encourage people with certain protected characteristics to participate in public life or in other activities where their participation is disproportionately low.

38. We have considered whether the proposal is relevant to the Public Sector Equality duty by asking whether the proposal:

- a. would affect service users, employees or the wider community;
- b. is a major policy in terms of equality;
- c. could have a significant effect on one or more protected characteristic;
- d. relates to an area with known inequalities;
- e. relates to areas where equality objectives have been set;

and have reached the conclusion that approval of a Beaver enclosure release trial is not relevant.

Environmental and Climate Change Considerations

39. The project is being developed with an environmentally beneficial scheme at its centre, by demonstrating climate adaptation measures and environmental management through natural flood management, water quality improvements, ecological resilience and biodiversity enhancements, achieved via a method of nature conservation and including opportunities for education and interpretation around these themes.
40. The site will be carefully monitored in order to evaluate the medium and long-term environmental impacts. As well as this, the site will be monitored to ensure that short term environmental management aspects are dealt with.
41. The main energy consumption impact of the project will be the installation of a fence, any electrification of the fence will be run by a solar power source. The scheme will demonstrate a land management approach which is aligned to climate adaptation and it is envisaged that the activities of the key-stone species will create a carbon sink through their activities.

Risks that may arise if the proposed decision and related work is not taken

42. To not go ahead with the project would result in the loss of the opportunity to work with an engaged and capable project team who are also a tenant of the Council at a suitable site. The project also presents the opportunity to demonstrate a potential shift in environmental management in a controlled manner which could be extended to a wider setting in time. Utilising this opportunity allows the authority to assess the benefits and impacts of the project with all major variables controlled.

Risks that may arise if the proposed decision is taken and actions that will be taken to manage these risks

43. The project contains risks associated with delivery and implementation. The following table details the potential risks associated with the project, all of which have been considered in appropriate method statements and risk assessments.

Risk Category	Risk Description	Risk Management Measures
Animal welfare	Issues could occur with the beavers health at any point in their transportation, release to the site, and whilst living in the enclosure. Such issues could range from disease to injury.	<ul style="list-style-type: none"> • Feasibility assessment of the site to ensure suitability of food / terrain / structure • Pre-release health screening in accordance with suitable methodology by appointed practitioner • Post-release health screening carried out through remote trail cameras and regular visual observations by appointed practitioner • Provision of a veterinary service and full field health checks under vet subscription • Assessment of the site structure
Beaver escape	<p>The conditions of the licence from Natural England ensures that the beavers are to be held securely within a suitable enclosure.</p> <p>Any escapes would threaten the conditions of the licence and pose a risk of unintended damage to neighbouring land.</p>	<ul style="list-style-type: none"> • Professional advice sought from specialists regarding the fence specification, which will be constructed with suitable materials, to designs and include electrification • Enclosure design which places a suitable buffer between neighbouring land users • Self-closing / lockable access gates • Specialist grilles / water sluice gates where the fence crosses watercourses • Regular monitoring and checks of the enclosure for any damage assessment on a routine basis by Capel Manor College • Drawn up escape action plan
Public interference	The site will be surrounded by a public right of way and a permissive path through the site will be maintained initially via pedestrian gates. Risks include vandalism to the site / intentional or accidental harm	<ul style="list-style-type: none"> • The gated access to the enclosure will be self closing, lockable and fitted with telemetry to alert the project team of any abnormal activity • Trial cameras to remotely monitor activity • Regular monitoring and checks of the enclosure for any damage assessment on a routine basis • Communication strategy to educate about the project and careful public disclosure over exact location of site (with acknowledgement that the location will not be confidential)

		<ul style="list-style-type: none"> • Onsite interpretation and signage • Development of a considered access strategy
Flooding	The behaviour of the beavers in the trial site will lead to landscape change and include retaining water at higher levels than at present due to dam construction on watercourses. There is therefore a risk to surrounding footpaths of flood inundation.	<ul style="list-style-type: none"> • A site check has been carried out to simulate potential retained water levels in respect to the surrounding footpaths and bridges • Raising of footpaths and bridges to be carried out as necessary • Installation of a bespoke drainage outfall at a set level to ensure that flood waters do not adversely affect the outside of the site
Tree fall	The behaviour of the beavers in the trial site will lead to trees being felled as they provide food and materials for construction of lodges and dams. The greatest risk is to trees closest to the fence.	<ul style="list-style-type: none"> • Placement of the fence at a slight inset to the existing fence-line and therefore set back from surrounding well used paths • Assessment of all mature trees and their potential fall zone • Protection of most at risk trees with measures such as painting at low levels with rubberised paint or enclosing with weldmesh as part of site set up
Added visitor pressure to nearby infrastructure and assets	Interest in the project leading to increased pressure on the area including car parking, roads, footpaths and associated infrastructure, as well as nearby designated sites associated with heritage and nature conservation.	<ul style="list-style-type: none"> • Inherent mitigation through a range of options to get to the site via footpaths only, which will disperse the pressure • No obvious parking sites associated with the site • Guided tours provided by the project partnership to provide a control on the numbers of visitors • Sensitive heritage designations are outside the project site area so should not be directly affected
Inadequate data collection	A primary objective of the project is to use the demonstration site to obtain data on various environmental metrics. Risk that the data obtained is not sufficient in extent	<ul style="list-style-type: none"> • Involving a range of project partners for advice from a range of back grounds – including specialists in beaver behaviours and trial sites, wildlife and biodiversity monitoring, water quality as well as the specialisms of the project partners including flooding and drainage (LB Enfield) and animal husbandry and teaching (Capel Manor College) • Commissioning baseline surveys and setting out an evaluation plan from the outset
Unexpected requirement to end the project	The initial project duration is 5 years	<ul style="list-style-type: none"> • An exit strategy has been devised which deals with any needs to end the project earlier than expected as well as an action plan for terminating the project at the end of the licence period if it is not extended

44. As outlined the project requires a wildlife licence to be issued via Natural England, a requirement of the licence application is to submit a method statement and risk assessment, which covers many of these risks in more detail.

45. Many of the routine monitoring aspects of the risk management measures will be provided by Capel Manor College under their listed roles and responsibilities as defined by the MoU. It is worth noting that this is supported by a network of informal volunteers in the community who provide reports on cattle and other herds of animals on the nearby farm, which would be extended to this project.

Financial Implications

46. The total estimated lifetime cost of the project is £169k (show in the table below). It is proposed that Enfield Council will fund the project establishment element (£108k). To date, a contribution of £40k has been allocated from the Council's Highways Flood Alleviation Capital programme budget, the remaining £68k will be met using funding committed for the Enfield Chase Restoration Project. Officers will be exploring various potential funding sources to meet the on-going running costs of £61k; i.e. from private corporate sponsorship funding, grant awarding bodies, public sector or cost recovery and reinvestment.
47. The project costs have been estimated and comprise capital set up costs, which includes the enclosure construction and project equipment and materials, and on-going annual costs of the project. The details of these costs are shown in the table below. The total costs for the project set up and the first year of running costs have been shown, with further running costs demonstrated on an annual basis for the expected 5-year duration of the project.

Item	Unit	Quantity	£ / unit	Cost
Project establishment and equipment costs				
Fencing – including sluice gates and access gates	No.	1	62,870	£ 62,870
Acquisition, vet screen and delivery of beavers	No.	1	8,000	£ 8,000
Design and build of artificial beaver lodge	No.	1	500	£ 500
Beaver specialists	No.	1	1,000	£ 1,000
Project and site monitoring equipment	No.	1	5,150	£ 5,150
On site signage and project interpretation	No.	1	9,560	£ 9,560
LB Enfield Professional Fees	No.	70	69.53	£ 4,867
Baseline Ecological Survey	No.	1	2,000	£ 2,000
Project establishment and equipment costs sub-total				£ 93,947
<i>Contingency (@ 15%)</i>				<i>£ 14,092</i>
Project establishment and equipment costs net-total				£ 108,039
On-going monitoring / running costs				
Species 360 and vet costs	Yr.	5	6,600	£ 33,000
Expenses for specialists	Yr.	5	1,000	£ 5,000
Survey budget - Topographic / Drone	Yr.	5	2,000	£10,000
Ecological survey budget	Yr.	5	1,000	£ 5,000
On-going running costs sub-total (annual / lifetime)			£10,600	£ 53,000
<i>Contingency (@ 15%)</i>				<i>£ 7,950</i>
On-going running costs net-total				£ 60,950
Project lifetime costs with contingency				£ 168,989

48. In drawing up the plans for the project certain elements of the project have been allocated for inclusion as part of other associated schemes or functions of the project partners at a nil cost to this project. These items include ground clearance around the site for the new fence installation to be provided as part of the Restoring Enfield's

Rivers project and assistance with the site check and environmental monitoring as part of Capel Manor Colleges educational and farm management functions.

49. The MoU with Capel Manor College includes a provision for the shared liability for the on-going running costs with them as the partner organisation. It is envisaged that these costs will be met in part or full by utilising an eco-tourism element of the project through guided tours, which the College is best placed to coordinate.

Legal Implications

50. S.1 Localism Act (2011) provides the Council with the power to do anything an individual may do, subject to certain limitations. This is referred to as the "general power of competence" (GPOC). A local authority may exercise the GPOC for its own purpose, for a commercial purpose and/or for the benefit of others.
51. Under s.111 Local Government Act (1972) local authorities may do anything, including incurring expenditure or borrowing which is calculated to facilitate or is conducive or incidental to the discharge of their functions.
52. The MOU to be entered into with Capel Manor College must be in a form approved by Legal Services.
53. Any orders placed under the council's existing term contracts for the provision of services or works must be placed in accordance with the terms of those contracts and be within the remit of what those term contracts were intended to originally cover. If any existing term contracts are proposed to be used in an alternate way to which they were originally intended, then legal advice must be sought before such orders are placed.
54. New contracts awarded for the purposes of this project must be awarded in accordance with the Council's contract procedure rules (CPRs), where applicable the Public Contracts Regulations 2015 (PCR 2015), and all governance processes must be followed in accordance with the council's constitution. Any new contracts awarded or orders placed under an existing term contract must have adequate budgetary provision to service the contract or order.
55. The Council must ensure value for money in accordance with the overriding Best Value Principles under the Local Government Act 1999.
56. Where income is to be generated local authorities are required to work within the legal framework that allows for this. Section 93(1) of the Local Government Act 2003 ('LGA 2003') provides power to charge for discretionary services, but with the proviso's that:
- the authority is authorised, but not required, by an enactment to provide the service, and
 - he or she whom is to be charged has agreed to its provision.
57. If the council is intending to trade for a commercial purpose in order to make a profit, then Enfield Council could only enter into such an arrangement through a company. Were this required legal advice must be sought.
58. The proposed decision must be consulted at a time when proposals are at a sufficiently formative stage, with adequate information, and time to allow a proper and informed response. There is no general duty for public authorities to consult those affected by their decisions; but a duty to consult may be imposed by statute, or may arise in public law either because of the duty to act fairly, or as a result of a legitimate expectation.

Workforce Implications

59. There are no expected workforce implications arising for the Council as a result of this project at present.

Property Implications

60. The project site is located within the Council's Corporate Rural Property Portfolio owned by Enfield Council and leased to Capel Manor College and known as Forty Hall Farm. It is envisaged that the agreement to work together on this project is carried out in isolation from the tenancy agreement with both partners to the agreement having separate responsibilities. Although to carry out the project the London Borough of Enfield would need to grant landlord consent, which approval of this report would infer and which would be granted by Strategic Property Services in accordance with Property Procedure Rules.
61. Further property / tenancy implications will be sought from Strategic Property Services and Knight Frank, Council's Rural Agents, in conjunction with Legal Services to identify and agree the most appropriate way to document this project with Capel Manor College. It is not expected that any problems will arise in this necessary process.

Other Implications

62. The Wildlife Licence application to Natural England seeks to collate other information which is briefly outlined in this report such as method statements, enclosure plans, exit strategies and notifications and dialogue held with neighbouring land users.

Options Considered

63. As outlined earlier in this report this initiative is planned to compliment measures already carried out to achieve Natural Flood Management measures. All of these implemented functions are achieved through direct human action (for example building leaky woody dams on watercourses and increasing catchment roughness), however this project looks to implement a more natural, conservation driven method and monitor and test the results.

Conclusions

64. It is concluded that the Council should follow the proposals outlined at the start of this report so that an innovative environmental partnership project with multiple benefits can be carried out.

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Appendices

MoU Enfield Beaver Project draft 20210701.doc

Beaver Enclosure Plan v.4.0 July 2021 (small).pdf

Background Papers

The following documents have been relied on in the preparation of this report: