

## London Borough of Enfield

### Portfolio Report

**Report of:** Doug Wilkinson – Director of Environment & Operational Services  
Peter George – Director of Property & Development

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**Subject:** Enfield Chase Restoration Project – Woodland Creation Year 3

**Cabinet Member:** Cllr Rick Jewell – Cabinet Member for Environment, in consultation with Cllr Tim Leaver – Cabinet Member for Finance and Procurement and Cllr Ergin Erbil – Deputy Leader of the Council

**Executive Director:** Sarah Cary – Executive Director – Place

**Ward:** Ridgeway, Whitewebbs

**Key Decision:** N/A

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### Purpose of Report

1. It is proposed to create 20 hectares of publicly accessible woodland on existing Council owned farmland at Rectory Farm, this builds on the 60 hectares of woodland that has been planted since 2020. The new woodland will involve planting 34,000 trees and capture an additional 112 tonnes of carbon emissions per year. The new woodland is proposed to be planted in early 2023.
2. This report follows the Portfolio Reports PL 19/107 P and PL 20/034 P which proposed the creation of 60 hectares of woodland.
3. This report seeks approval to remove 20 hectares from an existing farm tenancy in order to expand woodland creation project that commenced in 2020.
4. Further reports will follow to seek approval for future phases of the project as they develop.

### Proposals

5. To convert 20 hectares of agricultural land to woodland at Rectory Farm. This involves the removal of this land from the area comprising Rectory Farm which will take effect as part of the renewal of the Farm Business Tenancy (FBT) agreement with the Rectory Farm tenant farmer which had been negotiated via the Council's land agents, Knight Frank.

6. To approve the proposed woodland creation and on these parcels of land at Rectory Farm and accept funding from Forestry Commission under the England Woodland Creation Offer (EWCO).
7. To integrate Natural Flood Management (NFM) measures, such as ponds and wetland scrapes, into the new woodland landscape to reduce flood risk in urban areas downstream as described in Enfield's Local Flood Risk Management Strategy (2016).
8. To delegate authority to the Head of Parks and Open Spaces to authorise the placing of orders through any of the Council's existing relevant term contracts or to invite and evaluate tenders/quotations and, where suitable tenders/quotations are received, to award contracts for the works as part of the delivery of the woodland creation project in compliance with the Council's procurement rules.
9. To continue to work with Strategic Property Services and other internal teams within the Council to explore opportunities and develop plans and funding bids for future woodland creation and associated landscape restoration measures.

### **Reason for Proposals**

10. The proposals contribute to mitigating climate change by offsetting carbon emissions, as supported by the Enfield Climate Action Plan. According to Natural England's Carbon Storage and Sequestration by Habitat publication (NERR094), mixed native broadleaved woodland can capture 5.6 tonnes of carbon per hectare per year (allowing for 20% open space). This means that the new 20 hectares of woodland will capture 112 tonnes of carbon per hectare per year on average. Considering the 60 hectares of newly planted woodland in the previous two years, the overall woodland creation project would be estimated to capture a total of 448 tonnes of carbon per year. The proposed planting will be allocated to meet the Council's carbon neutrality commitments.
11. Enhancements to biodiversity by creating and extending the network of lowland deciduous woodland habitats, a priority habitat as identified in the UK Biodiversity Action Plan, as well as the creation of priority wetland habitats within the woodland areas. The area forms part of the wider Enfield Chase, the former ancient woodland, therefore the project will contribute towards the restoration of this historical area.
12. Reducing flood risk in the lower catchment of the Turkey Brook through interception of rainfall from the rural catchment by the newly created woodland and wetland features.
13. The current proposals for woodland creation in the 2022/2023 tree planting season will attract estimated funding of ~£250k from the Forestry Commission, and potentially further funding from Rewild London/Greater London Authority with the inclusion of Rural SuDS features.
14. Increased opportunities for recreational activities such as walking and enjoying nature, by improving access to Enfield's Green Belt land, and associated benefits to public health and well-being.

## Relevance to the Council Plan 2020 - 2022

15. The project is closely aligned to Priority 2 of the Council Plan, which aims to promote safe, healthy and confident communities. In particular the Woodland Creation enables the improvement of accessibility and quality of blue green spaces, and contributes towards the Council's pledge to plant trees within the borough. The project also helps with the Council's climate resilience by working with nature which is a key theme in the current Council Plan.
16. The project provides opportunities to work in partnership with different teams within the Council, as well as different organisations such as Thames21 (who will be leading on the volunteering events), the Forestry Commission, London Wildlife Trust (through the Rewild London funding) and the GLA. These partnerships help in promoting Enfield widely to ensure that the Borough receives the maximum benefit from national, regional and sub-regional programmes which will enhance Enfield's reputation across London and beyond.

## Background

17. As part of the wider Enfield Chase Restoration project, it is proposed to extend the woodland creation proposals following the successful tree planting of 100,000 trees in the previous two phases. The third phase proposed to create 20 hectares of woodland at Rectory Farm, on land that is currently designated green belt and primarily used for farming.
18. The wider aim of the project is to extend and restore some of the ancient forest of Enfield Chase by creating woodland with improved public access and biodiversity enhancements. It will also contribute to mitigating the climate emergency by reducing flood risk and increasing carbon sequestration. The table below summarises the area of woodland creation from the previous two years as well as the proposed woodland creation as part of Phase 3 of the project. Natural regeneration relies on trees growing from seeds rather than planting saplings, it therefore requires more time but is considered by many ecologists to result in a more diverse, resilient woodland. Some level of natural regeneration will be allowed in Phase 3; however, this is not significant and therefore has not been quantified.

Year	2020/21 Phase 1	2021/22 Phase 2	2022/23 Phase 3	Overall
Woodland Planting (ha)	25	25	20	70
Natural Regeneration (ha)	5	5	0	10
<b>Overall Woodland Creation (ha)</b>	<b>30</b>	<b>30</b>	<b>20</b>	<b>80</b>

19. This report should be read in conjunction with previous reports, PL 18.113 (Enfield Rural Catchment Project, which outlines the use of Natural Flood Management techniques to reduce flooding in downstream urban areas), PL 19/107 P (Enfield Restoration Project, outlining the funding from the Greater London Authority and Forestry Commission for the first Phases 1-2 of Woodland Creation) and PL 20/034 P (to regain the land to facilitate Woodland Creation for the first two phases of the project).
20. Following the previous successful phases of Woodland Creation, the Forestry Commission have encouraged the Council to develop further funding bids through the England Woodland Creation Offer (EWCO) grant. Consequently, a EWCO

funding bid was developed and agreed with the Forestry Commission (November 2022).

21. The below table outlines the costs of the project and the funding secured to date. The total funding secured from the EWCO grant is £249,775.87 which includes a 10-year maintenance contribution of £57k. To deliver the NFM features, the Council have submitted a funding bid for the Rewild London fund and are expecting feedback on the success of the bid in January 2023. If funding is not secured, space will be provided to deliver these features in the future when funding is available.

<b>Project Cost Element</b>	<b>Estimated Cost £000</b>	<b>LBE borrowing £000</b>	<b>External grant funding £000</b>	<b>Funding Gap/External Funding Sought</b>
Tree planting, protection and other supplementary features	233	40	193 (EWCO)	N/A
NFM Features – ponds and wetland scrapes	50	10	N/A	40k from Rewild London Fund TBC
<b>Sub-total capital</b>	<b>283</b>	<b>50</b>	<b>193</b>	<b>40</b>
Tree maintenance (10 years)	57	N/A	57 (EWCO)	N/A
<b>Sub-total revenue</b>	<b>57</b>	<b>0</b>	<b>57</b>	<b>0</b>
<b>Project total</b>	<b>340</b>	<b>50</b>	<b>250</b>	<b>40</b>

22. It is proposed to commence tree planting in January 2023. This will be in partnership with the waterway charity Thames21, who have supported the previous two phases of Woodland Creation and will be leading the volunteer events. These planting events are envisaged to continue into March 2023.

23. All works are expected to complete this financial year, in line with the tree planting season (November to March).

### **Main Considerations for the Council**

24. The project involves the conversion of 20 hectares of agricultural land to woodland. These proposals represent an opportunity to expand on the successes and benefits of the woodland creation that occurred in the 2019/2020 and 2021/2022 tree planting seasons. The project helps to realise the Council's objectives on providing better climate resilience and provides multiple benefits. These benefits include the capturing carbon, creating important habitats for wildlife and reducing flood risk in the Turkey Brook catchment. With the introduction of ponds and wetlands, there will also be significant benefit for reducing pollution generated from the surrounding farmland. The project will help realise long-term benefits for local residents, providing better access to nature and better quality nature spaces.
25. The project has attracted significant levels of funding from partner organisations and have demonstrated high levels of public support. The previous phases of woodland creation have facilitated the formation of the Friends of Enfield Chase community group, who are playing an integral part in planting and establishing the woodland. The project also helps to support these groups in reconnecting with nature.

## **Safeguarding Implications**

26. There are no direct safeguarding implications to children, young people and vulnerable adults from these proposals. The rationale for this is that is an environmental scheme for improving an existing public asset by incorporating existing inaccessible space.

## **Public Health Implications**

27. Climate change is the greatest threat to human health of the 21st century. The project contributes to the efforts of the Council to mitigate climate change.

## **Equalities Impact of the Proposal**

28. Corporate advice has been sought in regard to equalities and an Equalities Impact Assessment has been carried out to support the project.
29. The Equalities Impact Assessment demonstrates that the scheme will generally have a positive impact on Enfield residents, and has identified several mitigation measures to further recognise opportunities to reduce inequalities. The scheme will be designed in accordance with good practice to ensure it is reasonably accessible for all users; any new footpaths will be compliant with the Equalities Act 2010.
30. It should be noted that any contracts awarded should include a duty on the successful applicant to assist us with meeting our obligations under the Equalities Act 2010.

## **Environmental and Climate Change Considerations**

31. The Council has committed to being a Carbon Neutral organisation by 2030 and Carbon Neutral Borough by 2040. Natural offsetting through green infrastructure - including wetlands, tree planting and expansion of the natural environment was a key strategy of the Council's Climate Action Plan. An appropriate accounting system to capture the sequestration of the land change over time will be established in-line with approved methodologies.
32. The Climate Action Plan includes key actions around tree planting, woodland creation and flood defences which this proposal supports the delivery of.
33. As reported by the IPCC, the effects of change are now unavoidable, and we must be prepared for climate hazards including a future with extreme weather, heat waves and flooding events. In addition to mitigation through carbon sequestration this proposal supports adaptation of the borough and the ability to respond to climate hazards and extreme weather events such as flooding.

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

34. The following key risks relate to not implementing the project:
- Loss of approximately £300k of external funding to Enfield
  - Loss of opportunity to increase biodiversity and wildlife habitat
  - Loss of opportunity to cooperate with the local community
  - Loss of opportunity to reduce flood risk and offset carbon emissions

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

35. The first few years following the planting of the trees is critical to their long-term survival. Key risks include browsing by animals, drought or flood conditions, vandalism, fire and disease. These risks and mitigation measures are summarised in the table below:

Risk	Likelihood	Impact	Mitigation Measure
Browsing by deer / rabbits / other	5	4	- Protection with guards and / or stock fencing as appropriate
Drought	3	5	- Carrying out planting as early in the season as possible - Ensure that surrounding vegetation does not outcompete trees for water - watering methods to be explored
Land contribution / failure to meet funding objectives	3	4	- The timely sign off of agreements and serving of notices being pursued

36. Trees that were planted in between December 2021 and February 2022 as part of the second phase of woodland creation, were subject to a prolonged drought during summer 2022. The survival rates of the trees were estimated to be 72%, which is considered to be good given the extreme dry and hot conditions experienced in the summer of 2022. Any trees that survived this event are considered to have a strong chance of surviving future similar dry spells.

37. The conditions of the EWCO funding require the woodland to become established at the stocking density planted.

38. Once the land is taken out of the existing tenancies the land in question becomes the direct responsibility and under the liability of Enfield Council with no sitting tenant. The land will thereafter be managed by Parks and Open Spaces.

## Financial Implications

39. The costs of capital works are expected to be £283k – to be funded from £233k external capital grants/third party contributions and £50k borrowing. £193k external funding has been secured to date. The Council is awaiting confirmation of a further £40k external funding from the Rewild London Fund. £50k borrowing is approved within the overall project budget. All spend is expected to be incurred this financial year, in line with the tree planting season.

40. There is funding risk with regard to the £40k Rewild London Fund external funding contribution assumed but not yet received. If the Council is not successful in securing this funding, it will seek to reduce the scope of the project accordingly.

41. Whilst not yet ordered, the trees have been 'reserved', which provides confidence around sufficiency of capital budget required.

42. The creation of the new 20 hectares woodland carries with it an annual estimated revenue maintenance obligation of £5.7k per annum. Grant funding for 10 years estimated maintenance costs (£57k total) has been received as part of 2022/23 in year EWCO grant award. Any increases to this estimate will be managed from within existing approved revenue budgets for Parks.

43. Value for money assessment – this is the phase 3 of a project to deliver 80 hectares of new woodland within the area. The project benefits from significant levels of external funding and minimal Enfield Council contribution.
44. As mentioned in Property Implications below, the estimated reduction in rental income is £2,500 - £3,000 which will have minimal impact on the overall performance of the rural portfolio.

## **Legal Implications**

45. Section 111 of the Local Government Act 1972 permits local authorities to do anything which is calculated to facilitate, or is conducive or incidental to, the discharge of their functions.
46. The Council has a general power of competence under section 1(1) of the Localism Act 2011 to do anything that individuals may do, provided it is not prohibited by legislation and subject to public law principles. The proposals in this report are compliant with the Council's general power, which also encompasses the power to enter into contracts.
47. If the Council will be procuring contracts using the grant monies or otherwise entering into partnering arrangements, contracts or agreements, it must comply with all requirements of its Constitution, Contract Procedure Rules ("CPRs"). The Public Contracts Regulations 2015 ("Regulations") will also apply, should the value of any contracts be above the relevant procurement thresholds. Procurement and contract legal advice must be sought where required.
48. There are a number of external funders that are contributing to this project. Care needs to be taken to ensure that all grant conditions that come with the grant of monies from these external funders can be complied with by the council. Legal advice should be sought on this if and when required.
49. The New Subsidy Control Act 2022 ('SCA') shall come into force on 4th January 2023 introducing a whole new UK based subsidy control regime following the UK's exit from the EU. If any grant monies received for this project are to be paid directly to any enterprises that are economically active (such as private companies), then legal advice shall be required to ensure compliance with the new SCA.
50. There must be adequate budgetary provision to fund the schemes that are the subject of this report and in particular that there must be sufficient financial support to service any contracts to be entered into to make this project a success. Contracts proposed to be entered into must be in a form approved by the Director of Law and Governance and the council needs to be mindful of any grant conditions that are associated with external funders and whether contracts need to incorporate any provisions that are required by the grant funding. The grant conditions may also have certain procurement requirements that may need to be observed so these need to be scrutinised at an early stage.
51. Any existing council contracts that are utilised for the purposes of this project must be used strictly in accordance with the terms and conditions of those contracts.
52. The Council must at all times also adhere to the Duty of Best Value in accordance with the Local Government Act 1999.
53. A farm business tenancy (FBT) is a tenancy that exists pursuant to the Agricultural Tenancies Act 1995. The report states that the Council intends to bring parts of the

FTB to an end by notice to quit part of the respective tenancies and that no compensation will be and will need to serve an appropriate notice.

54. When part of a leasehold property is assigned or transferred rent is apportioned. Similarly, the Council is to agree to apportion the rent between the land to be surrendered and the land to be retained.
55. The Council has statutory duty as a Lead Local Flood Authority (LLFA) pursuant to the Flood and Water Management Act 2010 to act in a manner that is consistent with the Local Flood Risk Management Strategy.
56. The recommendations set out in this report are within the Council's powers and duties.

### **Workforce Implications**

57. This project will be managed through a combination of in-house staff within Parks and Open Spaces team, supported by external consultants such as Thames21. Enfield has already been working with Thames21 on previous phases of this project, and staff members at Thames21 have been secured to support the volunteer events. All costs for in-house staff and consultants will be recovered by re-charging to this project. Any additional staffing resources required for this project will be recruited in accordance with Enfield's processes.

### **Property Implications**

58. The effect of removing 20 hectares of land from the Rectory Farm Business Tenancy will involve a modest fall in rent income from that farm. However, the estimated reduction is £2,500 - £3,000 which will have minimal impact on the overall performance of the rural portfolio.
59. All other property implications are to be found in the main body of this report.

### **Other Implications**

60. The proposed woodlands will be managed by Parks and Open Spaces who have also been managing the new woodlands from the previous phases of the project. There have been some minor incidences of littering and vandalism to the previous phases which have been successfully resolved by the Parks and Open Spaces operational teams, working in collaboration with the Friends of Enfield Chase where appropriate. The proposals have also been discussed with the Principal Arboricultural Officer in Parks and Open Spaces. It has been agreed that although the proposals will require a change in the pattern of maintenance activities, the overall cost of future maintenance will not be significantly increased as only minimal maintenance is required, particularly during the first 20 years. It is estimated that the maintenance requirements for the 80 hectares of woodland (overall) would require a Grounds Maintenance Operative for approximately 1 day per week with an associated cost of approximately £6k/year. These maintenance costs are covered by the 10 years maintenance funding provided by EWCO and will also be supplemented by Parks Services budget, additional funding will also be sought from external sources.



## **Procurement Implications**

61. Whilst this report does not directly relate to any procurement activity, it must be noted that any expenditure to implement this plan will be subject to the Councils Contract procedure rules.
62. It will be expected that the trees mentioned in the report will be compliantly purchased and ensuring that sources are sustainable and ethical in line with the Councils sustainable and ethical procurement policy.

## **Highway Services**

63. No Highway Services Implications.

## **Strategic Planning**

64. The proposals have been discussed with The Planning Service, specifically Strategic Planning & Design in the context of Enfield's recently adopted Heritage Strategy and emerging new Local Plan 2036. Discussions will continue with officers as the emerging spatial options for growth are refined. It has been agreed that the woodland creation proposals are to be supported in terms of emerging policies to proactively manage growth, climate change and enhancing the borough's blue / green infrastructure and assets, in particular measures for enhancing opportunities for greater accessibility to the Enfield's Green Belt and reducing flood risk. As detailed proposals emerge for the woodland creation project, the final design and planting areas will be assessed in terms of overall historical landscape and character impact and in the context of the Local Plan. The project will be closely coordinated to ensure no conflicts arise with the borough's heritage strategy and future growth options.
65. The New Local Plan will be underpinned by an Infrastructure Delivery Plan, which will monitor the progress of projects and programmes (including the Enfield Chase Restoration Project) in the context of the emerging policies and wider network of green and blue spaces.

## **Options Considered**

66. Do nothing: This scheme is part of a series of improvements to improve the biodiversity and amenity value of Enfield's rural land. To do nothing will lose an opportunity to attract significant funding to the London Borough of Enfield, improve the environment, for both people and wildlife, and reduce flood risk to local residents and infrastructure. In addition, by not proceeding with this proposal the Council would miss an opportunity to make a positive contribution to reducing borough-wide carbon emissions and addressing the world-wide climate emergency.

## **Conclusions**

67. This report recommends the approval of Phase 3 of the wider woodland creation project. This involves planting trees over 20 hectares of land that was previously used for agriculture.
68. This recommendation follows from the success of two previous phases of the project. Further phases will be developed and delivered subject to the approval of future reports.

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### **Appendices**

Appendix 1 – Details of land for Phase 3 of woodland creation (map)

Appendix 2 – Equalities Impact Assessment

### **Background Papers**

N/A