

HAMPSTEAD HEATH, HIGHGATE WOOD AND QUEEN'S PARK COMMITTEE
Monday, 27 January 2014

Minutes of the meeting of the Hampstead Heath, Highgate Wood and Queen's Park
Committee held at Committee Rooms, 2nd Floor, West Wing, Guildhall on Monday, 27
January 2014 at 1.45 pm

Present

Members:

Jeremy Simons (Chairman)
Virginia Rounding (Deputy Chairman)
Deputy John Barker
Dennis Cotgrove
Karina Dostalova
Ann Holmes
Clare James
Professor John Lumley
Barbara Newman
Deputy John Owen-Ward
Alderman Ian Luder (Ex-Officio Member)
Martyn Foster (Royal Society for the Protection of Birds)
Tony Ghilchik (Heath & Hampstead Society)
Maija Roberts (Open Spaces Society)

Officers:

Alistair MacLellan	- Town Clerk's Department
Alison Elam	- Group Accountant, Chamberlain's Department
Edward Wood	- Principal Legal Assistant, Comptroller and City Solicitor's Department
Sue Ireland	- Director of Open Spaces
Simon Lee	- Superintendent of Hampstead Heath
Bob Warnock	- Superintendent of Hampstead Heath
Esther Sumner	- Policy Officer, Open Spaces Department
Philip Everett	- Director of the Built Environment
Paul Monaghan	- Assistant Director Engineering, City Surveyor's Department
Andrew Cotton	- Senior Surveyor, City Surveyor's Department

1. APOLOGIES

The Chairman welcomed Ann Holmes to her first meeting of the Committee. He paid tribute to the contribution of Deputy Michael Welbank MBE during the 7 years he had served on the committee, including tenures as Chairman and Deputy Chairman. He added that, as a local resident, Deputy Welbank had been able to bring a unique insight to the work of the Committee. The Chairman wished Deputy Welbank well, noting he was now the Chairman of the Planning and Transportation Committee.

Apologies were received from The Revd Dr Martin Dudley, Tom Sleigh, Deputy Alex Deane, Councillor Melvin Cohen, Councillor Sally Gimson and Charlotte Kemp.

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

Clare James declared an interest in Item 9 – Fees and Charges, given she is a regular user of facilities on the Heath.

3. **MINUTES**

RESOLVED – that the minutes and summary of the meeting held on 25 November 2013 be approved as a correct record.

Matters Arising

Oak Processionary Moth (OPM)

The Director of Open Spaces noted that the City of London was sponsoring an artistic display at the 2014 RHS Chelsea Flower Show (20-24 May), and that it would be visited by the Lord Mayor on 20 May. The display would aim to highlight the danger of OPM to the UK oak population should the disease not be dealt with effectively. The Superintendent of Hampstead Heath added that indications suggested that the direction of travel of OPM had changed and was now moving away from sites owned by the City of London in north London.

All-Member Visit to Hampstead Heath – 20 January 2014

The Chairman noted that both the All-Member visit to Hampstead Heath on 20 January and the visit of the Audit & Risk Management Committee on 24 January had been a success.

Fatality

The Superintendent of Hampstead Heath noted that the inquest into the tragic Summer 2013 fatality in the Kenwood Ladies Pond had taken place before Christmas, and that several members of Heath staff had been called before it. He reported that the coroner had been very fair in her summation of the circumstances around the fatality, in that she had noted the individual in question's underlying heart issue and requirements for medication. Moreover she had noted that, had the lifeguards on duty been informed of the individual's heart condition, the outcome of the incident may have been different.

Parliament Hill Athletics Track Showers

The Superintendent reported that there had been no further indication of legionella present in the Athletics Track showers and that works were currently being progressed, in conjunction with the City Surveyor's Department, to install new pipework and heating systems.

New Superintendent – Bob Warnock

At this point the Chairman introduced the new Superintendent, Bob Warnock, to the Committee, noting that Bob Warnock would be replacing Simon Lee from the end of February 2014.

Hampstead Heath Ponds Project – Ponds Project Stakeholder Group

The Chairman informed the Committee that West Hill Court – to the east of the Highgate Chain of Ponds – was now represented on the Ponds Project Stakeholder Group.

NOTED - That West Hill Court was now represented on the Ponds Project Stakeholder Group.

3.1 **Draft Minutes of the Hampstead Heath Consultative Committee Meeting - 20 January 2014**

The Committee received the draft minutes of the Hampstead Heath Consultative Committee meeting dated 20 January 2014.

RECEIVED

4. **APPOINTMENT TO THE HIGHGATE WOOD JOINT CONSULTATIVE COMMITTEE**

The Town Clerk explained to the Committee that there existed a vacancy on the Highgate Wood Joint Consultative Committee in the room of Deputy Michael Welbank.

Given no members present expressed their willingness to serve on this occasion, it was agreed to appoint a member to the Joint Consultative Committee at a future meeting of the Hampstead Heath, Highgate Wood and Queen's Park Committee.

The Chairman noted that the Highgate Wood Joint Consultative Committee - after its meeting on 30 April - was next due to meet on 19 November 2014, 22 April 2015 and 18 November 2015.

RESOLVED – that the Hampstead Heath, Highgate Wood and Queen's Park Committee defer the appointment of a member to the Highgate Wood Joint Consultative Committee until a future meeting.

5. **SCHEDULE OF VISITS 2014**

The Chairman introduced a report of the Town Clerk. It was noted that some dates for the Epping Forest and Commons Committee clashed with meetings of the consultative committees of the Hampstead Heath, Highgate Wood and Queen's Park Committee. The Town Clerk would look into the possibility of changing the date of the next meeting of the Queen's Park Joint Consultative Committee, as this meeting is on the same day as Ladies' Day at Epping Forest.

RESOLVED – that

- Members agree the Current Position and Proposals set out within the report; and
- Members agree the Schedule of Visits 2014 as set out in the appendix.

HAMPSTEAD HEATH

6. **SUPERINTENDENT'S UPDATE**
Planning – The Water House

The Superintendent of Hampstead Heath noted that he had attended an unsatisfactory meeting with Camden planning officers at which it had been apparent that there had been a poor level of information-sharing regarding The Water House planning application. He added that he had since received a response to his concerns from Camden planning officers and that Councillor Sally Gimson had also been looking into the issue. He expressed hope that the issue would be resolved now that it had been escalated to the attention of a Camden elected-member. He noted that the City of London objected to the planning application, broadly, due to what was regarded as an inappropriate proposal to use Millfield Lane for construction traffic.

Planning – Athlone House

The Superintendent noted that a planning application had been submitted to Camden proposing a reduced footprint for the proposed building on the site. Whilst he felt that the application would be refused, he warned the Committee that it was likely the applicant would seek to appeal such a refusal. He noted that both the City of London and English Heritage had submitted detailed objections.

Hampstead Heath Ponds Project

The Superintendent noted that a lot of work had gone into the ongoing Information Sharing and Non-Statutory Consultation process, with over 80,000 informational postcards issued to local residents before Christmas. He took the opportunity to thank those members present for their attendance at the All-Member visit to the Heath on 20 January. He then went on to note that even strident visitors to the consultation centre at Parliament Hill Fields tended to concur, following their visit, that the proposals envisaged by the City of London Corporation were not as invasive or inappropriate as was being argued by some critics of the project. He added that over 3,000 visits to the consultation centres had been logged since the consultation process started in November 2013. He concluded by adding that online representations concerning the project proposals had increased since the *Dam Nonsense* campaign had made its opposition to the project clear in recent press and campaign material.

Southern Counties Cross-Country Championships – 25 January 2014

The Superintendent informed the Committee that these championships had taken place the previous weekend and had seen over 3,000 runners compete. He noted that the numbers involved had inevitably meant there had been some surface damage to the Heath and that this had attracted some criticism from the local community. He added however that the surface scarring caused by the runners would both be repaired and would also regenerate naturally. Overall the temporary surface damage did not detract from what was a very successful event.

7. REVIEW OF ANNUAL WORK PLAN 2013 AND PROPOSED ANNUAL WORK PLAN 2014

The Superintendent of Hampstead Heath introduced a report of the Review of the Annual Work Plan 2013 and the Proposed Annual Work Plan 2014. He noted that the report reflected the credit due to the Highgate Wood, Trees and Conservation Manager and his team, particularly given the pressures imposed upon them by the clear-up necessary following the St Jude's Day Storm in October 2013 – he noted that whilst the more serious damage had been cleared, some areas remained to be dealt with due to poor ground conditions.

The Superintendent went on to highlight the use of a new Claas baler, adding that it was capable of baling 2.5 times the amount of material of the machinery that was previously in use. Moreover, given that the material was now sent to a facility in Barnet for composting, money was being saved in terms of haulage. The use of the new baler was also a visible tool in educating the public on the works involved in grassland management. Overall the Superintendent concluded that 2013 had been a positive year, both in terms of the examples thus far and for other projects such as the creation of a Stumpery in Golders Hill Park. He noted in particular the contribution of the Hampstead Heath Ecologist to both the 2013 and 2014 Annual Work Plans.

A Member of the Committee noted that his organisation, among others represented upon the Hampstead Heath Consultative Committee, had not had adequate time to read and evaluate the proposed 2014 Annual Work Plan. It was agreed that the recommendations on the report be amended to allow for suggested minor amendments to the 2014 Annual Work Plan to be made.

RESOLVED –

- That Members note the work undertaken during 2013 to enhance the natural aspect and designed landscapes within the Heath;
- That Members approve the proposed 2014 Annual Work Plan appended to the report, subject to minor amendments following comments received from Members of the Hampstead Heath Consultative Committee.

8. INTRODUCTION OF DOG CONTROL ORDERS AT BURNHAM BEECHES

The Director of Open Spaces introduced a report on the introduction of Dog Control Orders in Burnham Beeches, noting that the report had been intended for consideration at the Epping Forest and Commons Committee in early January 2014 but had been withdrawn following receipt of a detailed late representation from the Kennel Club. The report in its current format had been submitted to the Hampstead Heath Consultative Committee on 20 January 2014 for information.

She noted that the report would be amended following the consideration of the Kennel Club representation by a small subgroup of officers and members of the Epping Forest and Commons Committee. It would then be submitted to the Epping Forest and Commons Committee for consideration in its revised form in March 2014. It would then come to the Hampstead Heath, Highgate Wood and Queen's Park Committee at some point in the future, likely after a final consultation had been carried out at Burnham Beeches.

She further noted that if and when Dog Control Orders were implemented on the Heath, they would be tailored to suit its unique character. Furthermore she stated that officers had been concerned that the secondary authority status that allowed the adoption by the City Corporation of Dog Control Orders in its open spaces outside the City potentially would have lapsed; however, equivalent powers had been included in the Anti-Social Behaviour Bill that was currently going through the House of Lords following work by the Remembrancer's Office. She concluded by noting that the Hampstead Heath Consultative Committee had been told that the likely timescale of introducing Dog Control Orders on Hampstead Heath was 18 months to two years. In the meantime the City of London could deal with dog-related anti-social behaviour using Heath byelaws, and that Dog Control Orders were currently in force on land owned by the London Borough of Camden, covering the picking-up of dog mess.

A member of the Committee thanked the Director for her update but voiced his concern over the effectiveness Dog Control Orders would have in helping ensure persons walking a large number of dogs remained in control of the animals they were responsible for.

RESOLVED –

- That Members note the work being undertaken at Burnham Beeches to pilot, on behalf of the Open Spaces Department, the introduction of Dog Control Orders.

9. FEES AND CHARGES

Before the report on Fees and Charges was introduced to the Committee, the Chairman noted some amendments that had been put forward at the meeting of the Hampstead Heath Consultative Committee on 20 January 2014. These were:

- *Athletics Track Season Ticket – Adults* and *Athletics Track Season Ticket – Concessionary Rate* remain frozen at their approved 1 April 2013 level of £60.00 and £30.00 respectively, as a gesture of goodwill following ongoing issues with the Parliament Hill Athletics Track showers.
- Croquet (Golders Hill) was played on a *lawn* as opposed to a *rink*, as described in Appendix 3 of the Report.
- Under Lido – Swimming, the second instance of *Evening – Adult* should be listed as *Evening – Concessionary*.

The Acting Superintendent of Hampstead Heath then introduced the report, noting that the proposed increases in charging were in line with the 2.6% Retail Price Index of October 2013. He noted that in some instances, lower charging had been deliberately maintained to promote ease of cash handling in facilities such as the Lido. He noted that Simon Lee had worked closely with the Sports Advisory Forum in setting the policy behind the charges, and the policy was underpinned by the intention to set differential charging aimed at encouraging greater participation in particular activities. He concluded by noting the Charging Policy, once it had been further developed, would be submitted to a future meeting of the Hampstead Heath Consultative Committee for comment before coming back to the Hampstead Heath, Highgate Wood and Queen's Park Committee in November 2014.

A member of the Committee welcomed the report but stated his opposition to setting concessionary rates based upon race, religion or creed as seemed to be the intention expressed on page 94. The Chairman replied that this was not the intended aim of concessionary charging, and that the report simply acknowledged that certain groups were underrepresented among those persons using facilities on the Heath.

RESOLVED –

- That Members approve the proposed fees and charges for 2014/15 subject to the amendments noted by the Chairman;
- That Members approve the Charging Policy and framework that is being developed to implement a differentiated approach to setting charges for the wide range of sports and recreational activities on the Heath.

10. MANAGEMENT WORK PLAN FOR THE MODEL FARM COMPARTMENT

The Superintendent introduced a report on the Management Work Plan for the Model Farm Compartment. He noted that the City of London had taken responsibility for this area of land under a s106 agreement concerning Athlone House a number of years ago. He added that it was important to have areas of non-intervention on a site such as the Heath, which saw circa seven million visits per annum. In the case of the Model Farm, this ensured that a large population of grass snakes had the ability to enjoy a natural habitat free from regular human intervention.

He went on to note that the area of land demarcated as 'Harry's Land' on the aerial photograph on page 119 of the agenda pack referred to land, the title deeds of which

belonged to an individual who had successfully claimed ownership – with assistance of the local community – of the land through adverse possession from the company that had purchased Athlone House.

He concluded by noting the concerns expressed by the Hampstead Heath Consultative Committee that a visit to this area of land, ordinarily closed to the public, had only been offered to members of the Committee at very short notice. An alternative date for a visit to the Compartment would therefore be organised at a future date.

RESOLVED –

- That Members approve the detailed management plan for the Model Farm Compartment of the Heath.

11. PROGRESS REPORT ON THE IMPROVEMENTS TO EAST HEATH CAR PARK AND SOUTH END GREEN APPROACH

The Superintendent of Hampstead Heath introduced a report on improvements to East Heath Car Park and South End Green Approach that had been overseen by the Assistant Operational Services Manager. He noted that the works formed part of wider improvements to major entranceways to the Heath, such as the Bull Path. He noted that the improvements to the car park would generate an extra £60,000 in revenue which would help the North London Open Spaces meet budgetary targets. He went on to explain that improvement works to the South End Green Approach involved maintaining the current avenue of Plane trees and potentially removing fencing that impacted on the aesthetics of the avenue as a whole. Lastly, he noted that the tired appearance of the area beyond the car park was largely due to its use as a site for fairs combined with the fact the underlying soil actually consisted of bomb rubble and ash from Battersea Power Station. The area had therefore been hydro-seeded to improve its appearance. This approach would be evaluated later in the year and subject to its success would be incorporated into future Annual Work Plans.

RESOLVED –

- That Members note the successful implementation of the landscape enhancement scheme and agree the proposed future works for 2014.

12. ISSUE REPORT - HAMPSTEAD HEATH PONDS PROJECT - CONTRACTOR TENDER REPORT

The Chairman introduced the report on the Hampstead Heath Ponds Project Contractor Tender, noting that whilst the report was public, it was accompanied by two non-public appendices which formed an item in their own right in the non-public section of the agenda, and that the identities of the four contractors (referred to as Contractor A-D in the public report) were given in full in the non-public appendices. He noted that Members would have read the non-public appendices as part of their preparation for the meeting and asked them to bear the information they contained in mind when reaching their recommendations on the public report. He concluded by saying that if members wished to comment on material in the non-public appendices then the Committee would move into non-public session.

The Director of the Built Environment then summarised the report for the Committee. He explained that the four contractors who had submitted tenders had done so as part of a 'competitive dialogue' process so that each contractor was afforded the opportunity to understand precisely what was expected of them on the Ponds Project.

He went on to note that Contractor B had won the process by a narrow margin and was therefore the recommended contractor. The reason for this narrow margin was, whilst they had demonstrated a good understanding of the project, they had also offered the most expensive costing. Nevertheless Contractor B had given officers the confidence that they thoroughly understood what the City of London required of the successful contractor and moreover they had demonstrated the willingness to resource the project effectively. Moreover the Director noted that the expensive costing was not necessarily a downside in that it included a 'menu' of staffing and resources which the City of London could call upon as and when required.

The Chairman took the opportunity to emphasise that the recommended contractor had been arrived at through a comprehensive process and that he was confident the contractor with the best interests of the Heath at heart had been recommended to the Committee. He noted the decision of the Hampstead Heath Ponds Project Board to base their recommendation on an 80/20 weighting between quality and price respectively.

A Member of the Committee thanked officers for a clear report and noted his agreement with the 80/20 weighting in arriving at the recommended contractor. He said that the City of London should be proud to have overemphasised quality over finance to its own financial detriment.

In response to a question from a Member, the Director of the Built Environment confirmed that he was happy that the safety of the public during project works on the Heath would be adequately catered for.

RESOLVED –

- That Contractor B be appointed to the Hampstead Heath Ponds Project and the Comptroller and City Solicitor be authorised to enter into the PPC2000 ACA Standard Form of Contract for Project Partnering.
- That approval be given to release in advance of the main contract a sum of £593,376 from the works provision for pre-construction phase activities only.
- That approval be given to release £70,000 from the provisional works budget to fund Environmental survey works (for the Environmental Impact Assessment) to be undertaken by Contractor B.
- That approval be given to release £50,000 from the provisional works budget to fund the Planning Performance Agreement and associated meeting and venue costs.
- That approval be given to release £30,000 from the provisional works budget to fund City of London external support, to progress detailed technical design.

HIGHGATE WOOD AND QUEEN'S PARK

12.1 Superintendent's Update

Play Area Improvements – Highgate Wood and Queen's Park

The Acting Superintendent noted that play area improvements were currently taking place at both Highgate Wood and Queen's Park. Procurement was currently being

undertaken, and works were expected to begin within a fortnight on the Queen's Park play area.

As part of efforts to achieve efficiencies at Highgate Wood he noted that the bark surface in the play area would be replaced by a rubberised surface. This was due to the fact that the bark surface was very labour intensive to maintain and this had a significant impact on the limited manpower available among staff in the Wood.

Highgate Wood - St Jude's Storm Damage

The Superintendent noted that, as on the Heath, poor ground conditions had meant that some St Jude's Storm damage remained to be cleared, but areas of dangerous damage such as hanging branches had already been dealt with.

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

Kenwood Viewing Pavilion

In response to a question from a Member, the Superintendent confirmed that the former viewing pavilion in the grounds of Kenwood House had been permanently removed by English Heritage, as they had deemed the original structure to be inappropriate for its setting.

14. ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT

Jake & Dinos Chapman Sculptures

The Chairman noted that there was the potential to secure the Jake & Dinos Chapman sculptures *The Good, The Bad, The Ugly* currently on display near St. Mary Axe for display in Golders Hill Park from Spring 2014. If so, it was likely the proposal would be submitted to the Hampstead Heath Consultative Committee for comment before being approved under Urgency Procedure. He added that the sculptures would join the list of sculptures successfully displayed on the Heath.

A Member took the opportunity to register his wholehearted support and said that it would provide good publicity for the City of London Corporation.

Hampstead Heath, Highgate Wood and Queen's Park Committee Annual Dinner

The Chairman noted that the 2014 Dinner would take place on Tuesday 21 October in Skinners' Hall.

10,000m Trials – Saturday 10 May

The Chairman noted that the 10,000m Trials for the 2014 European Championships, European Cup 10,000m and IAAF World Junior Championships would take place at Parliament Hill Athletics Track on Saturday 10 May.

15. EXCLUSION OF THE PUBLIC

RESOLVED: That under Section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Part I of Schedule 12A of the Local Government Act:

Item(s) 16-21 Section(s) 3

**16. NON-PUBLIC MINUTES
RESOLVED –**

- That the non-public minutes of the meeting held on 25 November 2013 be approved as a correct record.

17. HAMPSTEAD HEATH PONDS PROJECT - ADJOINING LANDOWNERS

The Committee considered a report of the City Surveyor and the Director of Open Spaces.

**18. ISSUE REPORT - HAMPSTEAD HEATH PONDS PROJECT - CONTRACTOR
TENDER REPORT APPENDICES**

The Committee received non-public appendices to a report of the Hampstead Heath Ponds Project Board.

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

There were no questions.

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

Farewell to Simon Lee

The Chairman took the opportunity to say farewell to the outgoing Superintendent on behalf of the Committee. The Superintendent, in reply, thanked the Chairman for his kind words.

The meeting ended at 3.15 pm

Chairman

**Contact Officer: Alistair MacLellan
alistair.maclellan@cityoflondon.gov.uk**