



## Highgate Wood Joint Consultative Committee

**Date:** WEDNESDAY, 22 APRIL 2015  
**Time:** 12.00 pm  
**Venue:** HIGHGATE WOOD OFFICES, HIGHGATE WOOD, MUSWELL HILL ROAD, N10 3JN

**Members:**

Jeremy Simons (Chairman)	Peter Corley (Tree Trust for Haringey)
Virginia Rounding (Deputy Chairman)	Councillor Gail Engert (London Borough of Haringey)
Ann Holmes	Lynne Featherstone (MP for Hornsey and Wood Green)
Professor John Lumley	Councillor Bob Hare (London Borough of Haringey)
Barbara Newman	Lucy Roots (Muswell Hill Friends of the Earth)
Stephanie Beer (Muswell Hill & Fortis Green Association)	Alison Watson (Friends of Queen's Wood)
Jan Brooker (Highgate Conservation Area Advisory Committee)	Michael Hammerson (Highgate Society)
Marguerite Clark (Highgate Society)	

**Enquiries:** David Arnold  
David.Arnold@cityoflondon.gov.uk

The meeting will be preceded by a walk – would Committee members please meet at 10:00am outside the Pavilion Café.

Lunch will be served at the rising of the Committee.

**NB:** Part of this meeting could be the subject of audio or video recording

John Barradell  
Town Clerk and Chief Executive

# **AGENDA**

## **Public Agenda**

1. **APOLOGIES**
2. **MEMBERS DECLARATIONS UNDER THE CODE OF CONDUCT IN RESPECT OF ITEMS ON THIS AGENDA**
3. **MINUTES**  
To agree the public minutes of the meeting held on 19 November 2014.  
**For Decision**  
(Pages 1 - 6)
4. **SUPERINTENDENT'S UPDATE REPORT**  
Report of the Superintendent of Hampstead Heath.  
**For Information**  
(Pages 7 - 18)
5. **OPEN SPACES LEGISLATION**  
Report of the Superintendent of Hampstead Heath, received by the Hampstead Heath Consultative Committee on 9 March 2015.  
**For Information**  
(Pages 19 - 26)
6. **UPDATE ON TREE SAFETY MANAGEMENT AT THE NORTH LONDON OPEN SPACES DIVISION**  
Report of the Superintendent of Hampstead Heath.  
**For Information**  
(Pages 27 - 40)
7. **CYCLING IN HIGHGATE WOOD**  
Report of the Superintendent of Hampstead Heath.  
**For Decision**  
(Pages 41 - 46)
8. **THE STATE OF UK PUBLIC PARKS 2014 - RENAISSANCE TO RISK?**  
Report of the Director of Open Spaces, considered by the Hampstead Heath, Highgate Wood & Queen's Park Committee on 20 January 2015.  
**For Information**  
(Pages 47 - 74)
9. **QUESTIONS**
10. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT**
11. **DATE OF NEXT MEETING**  
To note the date of the next meeting to be held on 18 November 2015.

## **HIGHGATE WOOD JOINT CONSULTATIVE COMMITTEE** **Wednesday, 19 November 2014**

Minutes of the meeting of the Highgate Wood Joint Consultative Committee held at Committee Room 4 - 2nd Floor West Wing, Guildhall on Wednesday, 19 November 2014 at 11.45 am

### **Present**

#### **Members:**

Jeremy Simons (Chairman)  
Virginia Rounding (Deputy Chairman)  
Ann Holmes  
Professor John Lumley  
Barbara Newman  
Stephanie Beer (Muswell Hill & Fortis Green Association)  
Jan Brooker (Highgate Conservation Area Advisory Committee)  
Councillor Gail Engert (London Borough of Haringey)  
Councillor Bob Hare (London Borough of Haringey)  
Lucy Roots (Muswell Hill Friends of the Earth)  
Michael Hammerson (Highgate Society)

#### **Officers:**

David Arnold	Town Clerk's Department
Bob Warnock	Superintendent of Hampstead Heath
Jonathan Meares	Highgate Wood & Conservation Manager
Richard Gentry	Constabulary & Queen's Park Manager

### **1. APOLOGIES**

Apologies were received from Marguerite Clark (Highgate Society), Peter Corley (Tree Trust for Haringey), and Alison Watson (Friends of Queen's Wood).

### **Chairman's Welcome**

The Chairman welcomed Professor John Lumley and Councillor Gail Engert to their first meeting of the Committee.

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

There were none.

### **3. MINUTES**

**RESOLVED** – That the minutes of the last meeting held on 30 April 2014 be agreed as a correct record.

## **Matters Arising**

### **LiDar Survey**

In response to a question from Michael Hammerson, the Superintendent of Hampstead Heath advised that results of the LiDar survey would be made available to Members upon request.

### **Conservation Management Plan Objectives – Progress**

The Superintendent advised that events in Highgate Wood during summer 2015 would be publicised on social media and a new online newsletter. Staff at the Wood had also recently obtained an iPad to aide with the publicising of events through social media.

### **Tree Management**

The Highgate Wood and Conservation Manager advised that a short presentation on iTree would be provided at the next meeting once the results of a London-wide survey had been finalised.

## **4. SUPERINTENDENT'S UPDATE FOR NOVEMBER 2014**

The Consultative Committee received a report of the Superintendent of Hampstead Heath that provided an update to Members on management and operational activities in Highgate Wood over the past six months.

### **Budget-identifying cost saving and increasing income**

The Superintendent advised the Committee that the Open Spaces Department was required to find £2.189 million of savings over the next three years. However, there was minimal scope for savings and reductions at the Wood other than increasing income from licensing, operational efficiency of sports pitches, and turnover at the Café. Members commended the Open Spaces Department for identifying the minimal savings at the Wood.

In response to a question from Councillor Bob Hare, the Highgate Wood and Conservation Manager advised that it would be difficult to increase income from filming as the Wood was not very vehicle-accessible and closures of certain areas would affect users of the Wood and local residents. He added that the fees charged for filming tended to be quite low.

In response to a question from Michael Hammerson, the Superintendent advised that the possibility of increasing income through the provision of higher and further education courses on conservation and woodland management would be considered as part of the Education Strategy, which was currently being developed. The Deputy Chairman suggested that the Strategy should be presented to the Education Board for consideration.

### **Roman Kiln Project progress**

The Highgate Wood and Conservation Manager advised that a Gateway Two report regarding this joint community project would be submitted to the Corporate Project Board Sub Committee shortly. Members suggested that the report should include other historical aspects of the Wood too.

In response to a member's question regarding publicity for the project, the Highgate Wood and Conservation Manager advised that local media had covered a re-enactment of Roman Kiln use in 2010. The Chairman noted that a paper on the re-enactment had been published in the London Archaeologist journal.

The Highgate Wood and Conservation Manager added that information was provided for users of the Wood and the project was referenced on the City of London Corporation and the Highgate Wood websites. Further profile-raising would be possible once the project had progressed through the Gateway Two stage.

#### Sustainability

The Highgate Wood and Conservation Manager advised that the bi-annual Sustainability Audit was coming to an end and the results would inform the Departmental Improvement Plan to be drafted soon.

Members were advised that the Wood's overall sustainability performance had been very good. The photo-voltaic system performed well over the protracted good weather during summer 2014 and there had been an increasing emphasis on moving away from petrol engine-powered toward battery-powered equipment.

#### Conservation Management Plan Summary Document

Members were advised that the maps, path profiles and fonts had all been amended and the Middlesex Forest quote removed following discussion and suggestions made at the previous meeting in April 2014. The document would be circulated shortly so Members were asked to submit any final minor comments to the Highgate Wood and Conservation Manager as soon as possible.

#### Oak Decline

The Highgate Wood and Conservation Manager advised that Oak Decline had reduced but there was still some significant leaf damage; a 'do nothing' approach could result in a loss of all Oak trees within 90 years. He added that 2014 had seen very few acorns at the Wood, which was not unusual due to the prolific mast year in 2013.

In response to a member's question, the Highgate Wood and Conservation Manager advised that there had been few leaf-lying moths found in this year's survey but a wide variety of weevil species were identified.

#### Tree Disease and Biosecurity issues

Members were advised that a programme of containment and eradication of Oak Processionary Moth (OPM) was launched by the Forestry Commission in summer 2013. There had been further advances by the pest and there was now an infestation at the Regent's Park Zoo, just over two kilometres from the Wood. The Highgate Wood and Conservation Manager and the Division's Tree Officer were finalising an action plan to deal with OPM's inevitable arrival at one of the North London Open Spaces.

In response to a question from Councillor Bob Hare, the Highgate Wood and Conservation Manager advised that OPM would have little effect on established healthy trees but it could have a detrimental effect to stressed trees at the Wood.

#### Play Area and Recreation

The Highgate Wood and Conservation Manager advised that the play area safety surface improvements were successfully completed in time for the busy summer holiday period. A total area of 350m sq. was converted to a rubberised surface consisting of the space net unit and the cluster of units immediately adjacent, all of which must have an impact-absorbing surface to protect against injuries. Members were also advised that the roof of the hut in the Play Area would be repaired shortly.

The Superintendent added that the new safety surface had received much positive feedback from users of the Wood. The feedback was endorsed by Stephanie Beer, who had recently experienced the new surface with her grandchildren.

#### Community and Events

Members were advised that the volunteering sessions led by Heath Hands, in which volunteers would carry out clearing and trimming throughout the Wood, were becoming more popular and more frequent. The Committee thanked Heath Hands' dedicated team of volunteers for their hard work over the past six months.

The Highgate Wood and Conservation Manager advised that a Friends of Highgate Wood group could be developed to allow local volunteers to concentrate their work at the Wood. It was suggested that further incentives could be offered to volunteers, such as staff at the Wood giving CV references to acknowledge the important work they carry out.

Members were also advised that Heritage Day attracted around 2,000 visitors to the Wood. The Highgate Wood and Conservation Manager added that the number of visitors in a year could reach one million soon.

#### Pavilion Café

The Highgate Wood and Conservation Manager advised that a temporary covered dog-friendly area had received only positive feedback since its inception so members of the Consultative Committee were whether or not it should be made a permanent feature. Members supported the dog-friendly area and agreed that it be made more permanent.

#### Development Issues

Members were advised that the Open Spaces Department had submitted an objection to the proposed redevelopment of the former Haringey Magistrates Court as it would have an adverse effect on the landscape at the Wood.

**RESOLVED** – That the report be noted.

5. **FEES AND CHARGES REPORT**

The Consultative Committee received a report of the Superintendent of Hampstead Heath that set out the proposed increase to fees and charges for cricket and football at Highgate Wood in 2015/16. Members were advised that a more fundamental review of fees and charges, including full benchmarking, would be carried out by the end of 2015.

Members were advised that the charges for children's football coaching at Queen's Park would not be included in the proposed changes to fees and charges as they would become part of the licensing regime with effect from spring 2015.

In response to members' questions regarding the possibility of weddings and civil ceremonies being held at the Wood, the Highgate Wood and Conservation Manager advised the marriage licence would have to be attached to a built structure such as the Café or a named tree. Members noted that the lack of available car-parking at the Wood would be an issue for weddings but acknowledged that a limit could be placed on numbers within the licence. The Highgate Wood and Conservation Manager would look into the possibility of weddings and civil ceremonies being held at the Wood.

**RESOLVED** – That:-

- a) the proposed fees and charges for 2015/16 be noted; and
- b) the possibility of weddings and civil ceremonies being held at Highgate Wood be considered and a report be presented to the next meeting if appropriate.

6. **QUESTIONS**

In response to a question from Councillor Bob Hare, the Highgate Wood and Conservation Manager advised that bee hives had been reintroduced to the Wood in spring 2014. He added that the Wood is an ideal environment for bees and reported that the general insect population had increased significantly in recent years.

It was **RESOLVED** that an update would be provided at the next meeting.

7. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT**

The Chairman advised members of the Consultative Committee that the Wood had recently been awarded a Green Flag and a Green Heritage Award.

8. **DATE OF NEXT MEETING**

**RESOLVED** – That the date of the next meeting of the Highgate Wood Joint Consultative Committee, to be held on Wednesday 22 April 2015, be noted.

**The meeting ended at 12.45 pm**

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Chairman

**Contact Officer: David Arnold**  
**David.Arnold@cityoflondon.gov.uk**



<b>Committee(s)</b>	<b>Dated:</b>
Highgate Wood Joint Consultative Committee	22 April 2015
<b>Subject:</b> Superintendent's update for April 2015	<b>Public</b>
<b>Report of:</b> Superintendent of Hampstead Heath	<b>For Information</b>

## Summary

This report provides an update to members of the Highgate Wood Joint Consultative Committee on management and operational activities in Highgate Wood over the past six months. The report describes progress on cost saving and income generation, sustainability, conservation and woodland management, infrastructure and facilities. The report also includes a summary of progress on objectives in the Conservation Management Plan. As well as information on progress with The Roman Kiln Project and new signage and interpretation which is part of the work around the 'New identity' Project.

## Recommendations

- Members are asked to note the content of this report
- That the views of the Highgate Wood Joint Consultative Committee be conveyed to the Hampstead Heath Highgate Wood and Queen's Park Committee at their meeting in June 2015.

## Main Report

### Background

1. The Highgate Wood Team has had a productive winter, with some disruption to operational work due to bad weather, including several site closures due to high winds and rain. It has also been another wet but relatively mild winter which has caused some cancellations of sport fixtures due to waterlogging on the main field. There is a new impetus to push forward with the Roman Kiln Project and complete the Heritage Lottery Fund Application. Income is incrementally increasing with more licenced events through the winter months as well as an increase in charges for the sport activities. The Café have made a number of improvements to the internal serving area and the external dog friendly area has been a major success. There is promising progress with achieving the objectives laid out in the Conservation Management Plan in a number of areas and Heath Hands volunteers sessions continue to grow in popularity. This year there will be a growing focus on making savings and keeping costs down, especially staffing. This is going to present some major

challenges when the summer season begins and the opening hours extend to their maximum.

### **Budget – progress on the Strategic Based Review**

2. Licenced events continued through the autumn and winter months providing useful additional income. There is an additional environmental education activity this year which started running activities in January. There is capacity to accommodate other activities but due consideration has to be given to the impact these regular activities have on the woodland. This will be referred to later on in this report with the growing realisation that increasing visitor numbers and additional activities are having a negative impact on the woodland component of the site.
3. Budget spend this year has been very carefully monitored. There has been a special focus on identifying ways of improving the service by working proactively with other teams on Hampstead Heath and also the Heath Constabulary. The Team are having to make changes in the way in which they work and the forthcoming season will bring some significant challenges with providing adequate staffing cover while having to make significant reductions in overtime and additional staffing costs. In principal with planned casual staff provision the Team should be able to provide adequate staffing provision but there will be occasions where arrangements have to be made at very short notice due to unplanned absence.
4. Highgate Wood is in a different position from the rest of the Division in that it has already made a 12.5% saving when the Team was reduced to 6 permanent staff from 7, in April 2014. Part of that process involved a team restructure which resulted in the two Play Area Attendants being incorporated into the Wood Keeper roster and taking on the role of locking and unlocking the site. The roster has gone through a series of revisions to improve the provision of cover and also provide an adequate work/life balance especially in the summer months.
5. The coming summer season will present new challenges to the Team. The key factor is to plan ahead and try to anticipate as far in advance as possible the periods of high visitor numbers and the requirement to draft in extra staff resource. It is important to realise also that the other Divisional Teams will be going through the same exercise of reducing costs, which will require careful prioritisation.

### **Roman Kiln Project**

6. Work is now underway to gather all the supporting documents that have to be submitted with the Heritage Lottery Fund (HLF) application. Letters of support need to be obtained from local schools, The Museum of London and Bruce Castle Museum. There are also several key individuals, who form part of the Roman Kiln Project Working Group who we hope will also be able to provide letters of support, including a number of people who worked on the original archaeological excavations that uncovered the kilns and pottery in the late 1960's.

7. In order to progress the Project and submit the application later this summer the Highgate Wood Manager has commissioned the small consultancy who produced the Interpretation and Display Plans for the reconfigured education building to help with assembling and submitting the HLF application. Continuing with the same consultancy will enable the project to move to the application stage without losing continuity and the detailed knowledge that they already have on the Project.
8. It is very encouraging that the Project has received so much local and wider support from a number of different organisations and individuals, and it is hoped that the 'Our Heritage' Funding Application will be approved and the Project can be completed.

### **Sustainability**

9. Highgate Wood continues to promote sustainability across all areas including encouraging the Pavilion Café to recycle all their waste materials. There are three 700 litre recycling containers which are collected weekly by the Hampstead Heath Waste and Recycling Team, and then stored for removal from Kenwood Yard.
10. The general waste continues to be removed by the City of London's term waste contractor Amey, and taken for disposal at Walbrook Wharf. The waste material is unloaded into barges at Walbrook Wharf and then shipped up river to an incineration plant at Belvedere, where the material is burnt to generate energy.
11. The photo-voltaic installation on the machine shed has now produced well over 5,000 kilowatt hours in electricity which has made a significant difference in National Grid power consumption, and helped greatly to reduce Highgate Wood's electricity usage. We will be looking at the possibilities of installing a further photo voltaic system on the office roof which, would be smaller than the machine shed but, would provide enough power to run the two personal computers and other electrical appliances.
12. The Open Spaces Department has recently launched its Sustainability Improvement Plan 2015-2017, focusing on three actions. There will be an increased focus on driving down energy and water usage, a department wide review and rationalisation of vehicle and machinery use, and a programme of delivering further Solar Power Projects or other sustainable energy technologies. This will link up with a department wide cost saving and income generation drive. Highgate Wood will be contributing to the Plan and will be working with Hampstead Heath and Queen's Park to draft and implement a local Improvement Plan to achieve the three actions set out in the Department's Improvement Plan.

### **Conservation Management Plan progress**

13. Under the Heritage section objectives there have been some significant progress on the Roman Kiln Project, already mentioned above. There has also been some additional work carried out to protect an important section of the double earthwork structure close to the Memorial Fountain which is suffering from increased footfall and erosion. It is really important to continue

to look for opportunities to investigate the numerous wood banks and large double ditch and bank structure whose purpose and origin continue to be a mystery.

14. A member of the Highgate Wood Joint Consultative Committee joined the Highgate Wood Manager to view a recent LIDAR survey of Highgate Wood and Queen's Wood in the City Surveyors Department in the Guildhall on the 24<sup>th</sup> March 2015. While the images were extremely interesting the definition of the survey is not sufficiently detailed to be of any real value. The Highgate Wood Manager happened to attend a fascinating presentation on local geology at the Friends of Queen's Park Annual General Meeting on the same day and was able to show the images to the geologist.
15. Under the Natural Environment objectives, there has also been promising progress, with a new survey started on natural oak regeneration and existing recent planting. There is more information on this work later on in this report. Other areas of progress are working more closely with the Forestry Commission and also the Conservation Team in Haringey on various projects centred around woodland management.
16. Under Community and Recreation there has been excellent progress with increasing Heath Hands Volunteers sessions in the Wood, and building a core group of committed volunteers who's work focuses on specific management issues referenced in the Conservation Management Plan. The Team have also embarked on a programme of improving and updating the signage around the site, and introducing the 'New Identity' format for presenting information to the public. This will include new maps to replace the older now fading maps posted at the main noticeboards, and also a series of themed information boards displayed at the Education Building.

### **Woodland Conservation and Tree Management**

17. Work continues with Heath Hands Volunteers to construct dead hedging around sensitive areas where there has been significant compaction, and encourage natural regeneration and soil remediation. The dead hedging provides useful habitat for ground nesting birds, and also has the additional advantage of containing the natural leaf litter layer and arresting erosion. There have been 8 volunteer sessions since early December and the all have been well attended, with a member of the Highgate Wood Team supervising each session.
18. On the 23<sup>rd</sup> March Highgate Wood hosted a meeting of the England Woodland Biodiversity Group (EWBG). This group co-ordinates implementation of the woodland sector of the England Biodiversity Strategy and the Habitat Action Plans for Native Woodland in England. EWBG is made up of a broad cross section of the Biodiversity and woodland sector, and includes representatives from the Forestry Commission, Woodland Trust, and Natural England. The group is currently engaged in developing a woodland survey protocol for assessing the condition of woodland, which will be used to measure the delivery of the Governments Biodiversity Strategy 2020. This Strategy makes a commitment to 'restoring at least 15% of degraded ecosystems as a contribution to climate change adaptation and mitigation'. A significant part of this will be woodland habitat.

19. The EWBG approached the Highgate Wood Manager through the London office of the Forestry Commission, seeking an Ancient Woodland site in the London area within short walking distance of public transport links. The day proved to be very useful for the Highgate Wood Team as the EWBG carried out a field exercise to test out the draft woodland assessment form. The group split into three separate groups and surveyed a series of random plots within the woodland. The results and feedback from the group were broadly similar and very revealing through not necessarily surprising. Highgate Wood has two important issues to resolve; firstly the sheer number of users is causing increasing erosion and fragmentation of the remaining woodland understory, and significantly reducing natural regeneration. The second factor is linked directly to the first, and concerns the progressive change of the woodland to a high forest canopy, caused principally by the 'overstood' hornbeam coppice. The net result is low light levels, and consequently very low natural regeneration.



**Figure 1: Erosion of understory and compaction**

20. These two factors are shared with many other woodland sites and the comments come as no surprise to the Highgate Wood Team. The fact that this message came from a group of very experienced and knowledgeable professionals perhaps made it all the more powerful. It is hoped that the link with the EWBG can be developed and perhaps could provide further guidance on the long term management of the site and ensuring the continuity of the woodland. In simple terms the answer is to increase the size of future conservation areas significantly and possibly prevent access for longer periods. Convincing Highgate Wood's many users that this is the only way to guarantee the continuity of the site may not be easy.
21. Highgate Wood has introduced a severe weather protocol to deal with the threat of high winds and heavy rain. The protocol relies heavily on an increasingly accurate weather forecasting service provided by the

Meteorological Office, which allows the Team to operate a 24 hour warning notice to the public that the Wood may be closed if winds speed becomes potentially dangerous. The threshold is 40mph, and if the forecast predicts winds, and more importantly gusts, of more than 40mph, the Team can then plan for a possible closure. This protocol has been tested and the Wood has now been closed on three occasions over the last four months, once in October and twice very recently at the end of March. On all three occasions the forecasted severe weather did occur and there was significant tree damage.

### **Oak decline and oak regeneration**

22. In the last report submitted in November 2014 there was mention of a new survey of natural oak regeneration and also monitoring of the small population of young planted oaks. This field work for this survey started in late 2014 and continued through the winter months. This is intended to compliment the extensive work already achieved capturing the decline of the oak population on site. A Highgate Wood Keeper carried out the surveying work and the senior Ecologist for Hampstead Heath provided support in downloading and processing all the GPS data collected, and then mapping the surveyed trees (see figure 2).
23. This work is an important step towards trying to measure how the Wood is regenerating and also may indicate what changes we need to make in future management. There is already a reference above to the growing pressures that the site faces because of visitor and all the various activities that take place on the site. The visitor logger devices are recording increased number of visitors. The team have calculated that the number of people visiting the site between January 2014 and January 2014 has now risen to 1,019,414. This is a significant but not surprising finding as in the previous report in April 2014 we recorded a figure approaching 900,000.
24. This information will be used to convey to the public the vulnerability of the woodland habitat and the importance of creating the conservation areas in order to allow areas to regenerate naturally and ensure that the site continues to thrive and provide a haven for both people and the wildlife population.

### **Tree disease and biosecurity issues**

25. Oak Processionary Moth (OPM) is advancing ever nearer and may well get as far as Hampstead Heath this coming summer. The caterpillar has been found in several locations in Regent's Park, and is also present a few kilometres to the west in Brent Park just off the North Circular. The Division now has an Action Plan for OPM which has been circulated to all the sites and a number of staff have been on training days organised by the Forestry Commission. In the autumn of 2014 an additional London wide survey was carried out to identify how far the pest had spread over the 2014 season and how effective the eradication programme had been. The results are shown in figure 3.





Figure 2: 97 plotted young seedling oaks

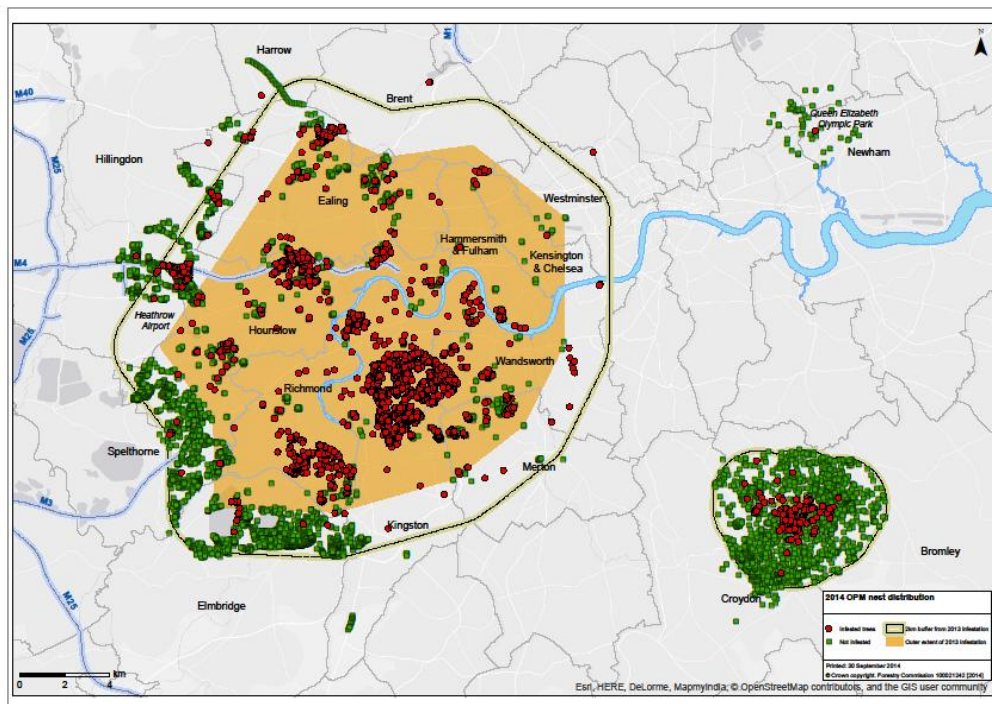


Figure 3: Red dots are confirmed OPM sites and green were clear of OPM

## **Play area and Recreation**

26. The play area continues to be very popular and has increasing visitor numbers corresponding with the increasing visitors to the Wood. The tiger mulch surface in the main section of the play area has been a great success and is achieving the staff time savings for which it was intended. There are some additional repairs to be made to some of the older equipment, including the wooden shelter, but there should be no requirement to make any substantial investment this financial year.
27. The sports field is gradually recovering from the wet winter months and starting to dry out, although there are some drainage issues to be resolved before the cricket season gets underway. As a result of the inclement weather several football matches had to be cancelled. The Teams have all managed to complete their fixtures quota for the season, so there was no requirement to reimburse any of the bookings.

The Highgate Wood Team had to reinstall and construct more wooden boardwalks sections for the bottom part of the sport's field behind the practice cricket nets so members of the public could access that area for walking and running. This area will need to be inspected every winter due to poor drainage, it being the lowest part of the field.
28. Spring signifies the coming of summer and so the cricket preparations have begun in earnest. The cricket table has had its first few cuts of the year which also helps with early rolling. The markings for the cricket squares are all set out. One of the operations that needs to be re-considered is the requirement to hand weed the cricket square; a task that takes a great deal of staff time and is very labour intensive. The alternative is to use chemicals, not necessarily ideal for the woodland environment but a method that the Team will have to consider in the near future, as was utilised in the past. Clearly this will need to be carefully considered and it may be possible to use other methods to reduce the growth of weeds on the square.
29. The cricket score hut has been refurbished with a new fascia to replace the original unit which had been repeatedly repaired but had finally come to the end of its service life. The field and cricket square have just had their covering of spring / summer fertilizer which will encourage good vigorous green growth.
30. The children's football coaching has now begun (Easter holidays) and will continue for each school holiday and the six weeks of summer. The trim trail items are inspected on a weekly basis and are proving to be very popular with the members of public.

## **Pavilion Café update**

31. The Pavilion Café has had a reasonable winter. The current lease holder has used the quiet trading period to make a series of improvements to both the internal serving area and also carried out a spring clean of the storage area next to the compactor. One of the metal storage containers used by the Café has been removed and this has released additional storage space for the Team to relocate the recycling bins and some of the other items that were previously left next to the access road. The overall appearance of the area is



greatly improved and the intention now is to bring this area back into woodland.

32. The period of 'soft market testing' has been extended due to a delay in commencing the Project and this will now extend into the early summer before the process develops into a tendering exercise. It is assumed that the present lease holder will express an interest in continuing to manage the facility.

### **Community and Events**

33. There has been a significant increase in staff time devoted towards education activities, partly due to the increased number of licenced events that are taking place in Highgate Wood. The number of people attending the various fixtures dropped slightly; this year a total of 2,266 attended educational based activities mostly school groups and other licenced activities. The numbers attending the public walks, events, and volunteer activities was 945, also a small drop on last year. The reduction in numbers are very small and were probably due to the less clement weather over the summer.
34. The diarised events over the winter and early spring have been very well attended and another interesting programme is already being advertised for the forthcoming year. Highgate Wood's Heritage Day Event has been renamed 'Community Day' and will be held on the 6<sup>th</sup> September this year. Some of the activities will be scaled down at this year's event to reflect the requirement to reduce costs. The event was always intended to be and will remain for the local community and provide an opportunity to promote understanding and support for local woodland and it's conservation, and of course the Local Community Groups who work so hard to do this.

### **Infrastructure and buildings**

35. A Team will be starting work after Easter to carry out repairs to the main pathways, which should make a major difference to the quality of the surface. These works are simply to restore the bound gravel surfaces and should not take too long to complete. The City Surveyors have also contracted in a fencing company to make a number of repairs to the existing fencing, including a new layout at Onslow gate entrance (see figure 4) that allows vehicles to park inside the Wood when entering the site from the road. This new arrangement allows pedestrians adequate room to pass on the pavement and prevents longer vehicles from protruding out into the road.
36. The office has had a new boiler installed and this is now working well, after a period of teething problems with the circulation system and some of the radiators.



Figure 4: New layout at Onslow Gate

### Corporate & Strategic Implications

37. The proposal contributes to producing a Clean, Pleasant and Attractive City (Objective CPAC4) and to Conserve and Protect Biodiversity (Goal 15) in the Community Strategy. It will help fulfil the Department's Strategic Goals and Objectives 2 (To adopt sustainable and sensitive working practices, promote biodiversity and protect the Open Spaces for the enjoyment of future generations) and 5 (To ensure that the profile of the Open Spaces is further recognised through working in partnership with others to promote our sites and through influencing policies at a local, regional and national level).

### Implications

38. There are no financial implications arising from this report. The operational requirements highlighted in the report will be met from the Superintendent's Local Risk Budget.

### Conclusion

39. The Highgate Wood Team faces some significant challenges this coming year, and the period up to 2018. The combination of financial constraints and the expectation to continue to deliver a high quality community focused service will require some careful management. The Conservation Management Plan may be a useful tool in supporting change as there is recognition that the continuity of the site's natural fabric is paramount and the City of London have a legal duty under the foundation legislation to preserve the character of the woodland and conserve it for future generations. However, there is also the commitment to allow open access to the public. The real question is how to make the public understand the vulnerability of the

woodland environment and to accept that in order to conserve it for the future larger parts of it may have to have restricted access.

### **Appendices**

- None

### **Jonathan Meares**

Highgate Wood, Conservation, Trees and Sustainability Manager

Open Spaces

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<b>Committee:</b>	<b>Date:</b>
Hampstead Heath Consultative Committee	9 March 2015
Highgate Wood Joint Consultative Committee	22 April 2015
<b>Subject:</b> Open Spaces Legislation	<b>Public</b>
<b>Report of:</b> Superintendent of Hampstead Heath	<b>For Information</b>

## Summary

This Report advises the Consultative Committees of an informal consultation concerning possible modifications to the legislation governing the City Corporation's Open Spaces. The main aims of such changes would be to clarify the Corporation's management powers, to provide greater flexibility to generate revenue for the benefit of the Open Spaces, and to strengthen enforcement powers. The Management Committee has agreed that the views of local interest groups should be informally canvassed before any such proposals are advanced, and to this end a public briefing paper (appended to this Report) has been produced. Subject to the views received, it is anticipated that more detailed proposals will be drawn up for consideration by the relevant Committees, with a view to depositing a private Bill in Parliament in November 2015.

## Recommendation

Members are asked to:

- Receive this Report, and to contribute views on the legislation as set out in Appendix 1.

## Main Report

1. The legislation governing the City Corporation's Open Spaces has in most cases served its purpose well for many years. Its age and complexity mean, however, that it is not always easy to operate in practice. Moreover, it arguably fails to reflect the full range of problems and opportunities which arise in the modern-day management and use of the spaces. Following preliminary internal discussions, the Remembrancer and the Director of Open Spaces have formed the view that there may be considerable merit in seeking amendments to the legislation. This could be achieved through the promotion of a private Bill in Parliament (the usual method by which such changes are made).
2. It is thought important, both in practice and as a matter of policy, to engage with local communities and interested parties at an early stage. The Management Committee has therefore agreed that, prior to any steps to draw

up a Bill, the opportunity should be taken to canvass views about the potential shape of the proposals from users of the Open Spaces and other local interest groups. To this end, officers have produced a public briefing paper to explain the possible nature of the changes and to invite views. The paper is appended to this Report. The exercise is informal in nature, as interested parties would have a formal opportunity to put across their views on the detail of the eventual proposals as part of the parliamentary processes applicable to private Bills.

3. The proposals as presently envisaged would be based upon three main objectives: clarifying the general management powers available to the City Corporation in the Open Spaces; providing greater flexibility to generate revenue for the benefit of the Open Spaces, in a way that does not undermine their use for public recreation and enjoyment; and providing more efficient and effective tools to deal with crime, anti-social behaviour and nuisance in the Open Spaces. Further details under each of these heads may be found in the Appendix.
4. Members will note that the proposals are presently framed in general terms relating to the City Corporation's Open Spaces as a whole. Accordingly, not all of the suggestions will necessarily have the same practical relevance to Hampstead Heath. The extent to which the drafting of legislation needs to reflect differences in the circumstances of individual Open Spaces (and in the legal regimes under which they operate) will be considered as the proposals are developed in detail, taking into account the views expressed in response to the consultation.
5. Subject to the views received, it is anticipated that officers will draw up and present to the relevant Committees detailed proposals. If agreed, a private Bill would be prepared for deposit in Parliament in November 2015.

## **Appendices**

- Appendix 1 - Public briefing paper: 'Changing Legislation: A brief explanation of proposed changes to legislation governing the City of London's Open Spaces'

## **Background Papers**

- Report of the Remembrancer and the Director of Open Spaces on Open Spaces Legislation:
  - Open Spaces and City Gardens Committee, 13 October 2014
  - Epping Forest and Commons Committee, 3 November 2014
  - Hampstead Heath, Highgate Wood and Queen's Park Committee, 24 November 2014

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# Changing Legislation

A brief explanation of proposed  
changes to legislation governing the  
City of London's Open Spaces

The City of London  
provides 14 green  
spaces in and around  
London for the benefit  
of local communities.  
Most are registered  
charities operating  
at little cost to the  
general public.



# **IMPROVING THE LEGISLATION GOVERNING THE CITY OF LONDON CORPORATION'S OPEN SPACES**

## **Introduction**

The City of London Corporation owns Open Spaces outside the City of London which together cover almost 11,000 acres and attract an estimated 23 million visits every year. Most are run as registered charities. The City Corporation's involvement goes back to the 19<sup>th</sup> Century when it first joined the fight to protect important green spaces against encroachments by landowners, so that they would be available for the health and recreation of future generations of Londoners.

The City Corporation's Open Spaces are largely governed under special Acts of Parliament, many of which date back to the 1870s. Among the most important of these are the Hampstead Heath Act 1871, the City of London (Various Powers) Act 1877, the Corporation of London (Open Spaces) Act 1878 and the Epping Forest Acts 1878 and 1880, although further powers were obtained from Parliament in the 1930s and 1970s. The legislation has generally stood the test of time and served its purpose well. However, as the years have gone by it has become clear that there are certain areas where the City Corporation's legal powers need to be clarified and brought up to date.

The City Corporation is therefore considering the promotion of a private Bill in Parliament, including new provisions aimed at securing the best possible future for its Open Spaces. The proposals currently in mind can be grouped under three headings:

- 1. Clarifying the general management powers available to the City Corporation in the Open Spaces.**
- 2. Providing greater flexibility to generate revenue for the benefit of the Open Spaces, in a way that does not**

***undermine their use for public recreation and enjoyment.***

- 3. Providing more efficient and effective tools to deal with crime, anti-social behaviour and nuisance in the Open Spaces.**

Further details for each of these headings are given later in this document.

Formal consultation with interested parties on the final proposals will be part of the Parliamentary process. However, the City Corporation would like to share with you at this early stage some general ideas of what might be included, and to hear your thoughts. This will allow your views to be taken into account as detailed proposals are drawn up.

The Open Spaces which could be covered by the proposals are:

- *Ashted Common,*
- *Bunhill Field<sup>1</sup>,*
- *Burnham Beeches,*
- *Coulsdon Common,*
- *Epping Forest,*
- *Farthing Downs,*
- *Hampstead Heath*
- *Highgate Wood,*
- *Kenley Common,*
- *Queen's Park,*
- *Riddlesdown,*
- *Spring Park,*
- *Stoke Common,*
- *West Ham Park,*
- *West Wickham Common.*

Differences in the existing legal regime and in circumstances on the ground will mean that the practical effects of any new legislation may vary from space to space. Legislation might also provide the opportunity to address technical issues specific to particular Open Spaces, although these are not dealt with in this paper.

It should also be noted that many of the rules governing the Open Spaces are set out in

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<sup>1</sup> *Bunhill Field is not a registered charity, is located in Clerkenwell and is managed as part of the City Gardens*



byelaws rather than Acts of Parliament. The proposals referred to in this document would not affect the byelaws in place at each Open Space, any changes to which would be the subject of a separate process.

### **1. Clarifying the general management powers available to the City Corporation in the Open Spaces.**

In relation to its Open Spaces, the City Corporation occupies the dual role of landowner (more particularly charitable trustee) and statutory authority under the applicable legislation. It is not always easy to work out the precise relationship between the City Corporation's statutory powers and its common-law powers as landowner.

To clarify the City of London's management powers and responsibilities, it would be useful to provide in legislation a suite of powers applicable across the Open Spaces, which expressly define the City Corporation's ability to exercise certain general functions of land management. These proposals are not intended to lead to any significant change in the running of the Open Spaces. Rather, they will be directed principally at clarifying the basis on which existing activities are undertaken, and enabling greater consistency of approach.

- ♦ The management of plants, trees and other vegetation is naturally an important part of the City Corporation's work in the Open Spaces. Under much of the current legislation, a duty is imposed to "protect" or "preserve" the vegetation and the "natural aspect" of the Open Spaces. The City Corporation has always applied a common-sense interpretation of this, which does not prevent the carrying out of works to control or manage plant-life where this is part of legitimate land management. Legislation would, however, provide the opportunity to clarify the situation by expressly setting out the appropriate powers. The existing duty to preserve the natural aspect of the Open Spaces would be maintained.

- ♦ Grazing activity is carried out on some of the Open Spaces, and the City Corporation would like to give this a firm basis in legislation. This would, again, be subject to the duties to preserve the "natural aspect" of the Open Spaces, and also to those commoners' rights that are still exercised.
- ♦ The City Corporation would like to have a formal procedure for entering into arrangements with utilities providers concerning utilities infrastructure (such as water pipes or telephone lines) running through the Open Spaces. Sometimes it is beneficial to permit this in the interests of those living or working in and around the Open Spaces, although any proposals are of course carefully scrutinised to make sure that they do not have harmful effects. Such infrastructure is usually underground and has no lasting effect on the amenity of the Open Spaces.
- ♦ It would also be useful to have an express power to enter into arrangements with local councils concerning local roads in and around the Open Spaces. Arrangements could cover, for instance, the installation of cattle grids in council-owned roads, the provision of traffic-calming systems, measures to reduce vehicle damage to verges or the erection of fences besides hazardous stretches of road.
- ♦ In most of the Open Spaces, the City Corporation already has the power to make arrangements for external providers to run services and facilities, for instance cafés, refreshment kiosks and car-parks. However, under powers set out in the 1930s, leases like these are limited to only three years at a time. This limitation produces uncertainty for the providers and naturally makes it difficult to attract the long-term investment needed to ensure a high standard of facility. By removing or extending this limitation the City Corporation could enter into longer-

term arrangements with external providers to run cafés and other facilities. This would bring the situation into line with normal practice at other parks and open spaces.

***The historic three-year limit on contracts discourages many potential business partners. By extending or removing this limitation we can encourage more investment into facilities, and improve quality standards.***

## **2. Providing greater flexibility to generate revenue for the benefit of the Open Spaces, in a way that does not undermine their use for public recreation and leisure.**

As a result of cuts to local and central government spending, combined with wider economic circumstances, the funding of public open spaces has come under considerable pressure in recent years. This is expected to continue for the foreseeable future. The City Corporation's Open Spaces are by no means immune from these pressures. The need for budgetary discipline across the City Corporation's range of activities means that new sources of revenue need to be found.

While the City Corporation's powers as landowner might already give some ability to raise revenue in the ways described below, it would be more transparent and give greater certainty to have the powers set out clearly in legislation, subject to defined processes and controls.

It should be stressed that any revenue raised from the Open Spaces will go directly to the upkeep and management of the Open Space concerned.

- ♦ There are buildings and other areas within the Open Spaces which have the potential to provide attractive venues for those wishing to hold social or professional events. Examples could include weddings and civil ceremonies, conferences and

training courses. Where such events could take place without significant disruption to the visiting public or other harm to amenity, it is considered that they could provide a useful source of revenue for the Open Spaces.

- ♦ Some events do already take place in some of the Open Spaces, in reliance on the City Corporation's general powers as charitable trustee. It is not always clear, however, how these implied powers interact with the statutory schemes which govern the Open Spaces, and difficulties can arise, for instance, if a small area of land needs to be cordoned off for the duration of such an event.
- ♦ The central purpose of the Open Spaces is to provide recreational facilities for the public at large. Any use of that Open Space for private events must not undermine this principle and any interference with public rights of access would therefore be permitted only on an occasional and strictly limited basis. This will need to be stated clearly in any new legislation.

***We already receive many requests to use our buildings for wedding ceremonies. This would always be done sensitively and with consideration for the public.***

- ♦ Views would be welcome on whether we should introduce a scheme of paid licences for those wishing to use the Open Spaces to carry on certain business activities. Examples could include fitness instructors and commercial dog-walkers. The City Corporation's provisional view is that those who use the Open Spaces for private profit should reasonably be expected to make some contribution to the running costs of those spaces. Similar schemes are currently in operation in other open spaces, such as the Royal

- Some of the Open Spaces contain accommodation and other buildings originally designed for staff, but which are no longer required for this purpose. The City Corporation would like to allow private use to be made of these buildings, through appropriate lease arrangements whilst retaining them as the City of London's property.

***Our Open Spaces have many lodges and offices which under current legislation must stand empty if not being used by staff. Renting would provide a good source of income, and help preserve these buildings for the future.***

- Certain of the proposals in section 1 might also give the opportunity to raise revenue, such as those concerned with granting rights for utilities and letting out cafés, although revenue would not be the main focus of these measures.

### **3. Providing more efficient and effective tools to deal with crime, anti-social behaviour and nuisance in the Open Spaces.**

One of the biggest difficulties in managing the Open Spaces is that of people who abuse the advantages they offer, to the detriment of other visitors. Problems include littering or fly-tipping; damage to wildlife or plants; improper use of bicycles or vehicles; camping, barbecues or fires; dog fouling and behaviour; and disorderly or indecent acts.

Existing byelaws are generally wide enough to cover most of the harmful activity which takes place. However, it is considered that the City Corporation's enforcement powers are out of date and have fallen behind those of other managing bodies in similar positions. Legislation would provide the opportunity to modernise these powers in order to make enforcement more efficient and effective.

- Legislation could provide the opportunity to bring the maximum fines under the

byelaws into line with the "standard scale" which applies to equivalent byelaws elsewhere. In most of the City Corporation's Open Spaces the fine is currently fixed at a maximum of £200, an amount which has remained unchanged since the 1970s. Most other public open spaces in and around Greater London apply a "level 2" fine. This is currently £500 but is shortly to rise to £2,000 under government proposals. There would appear to be no good reason for this disparity and it is proposed that "level 2" fines should also apply to the City Corporation's Open Spaces. This would provide a more effective deterrent to those who might infringe the byelaws.

***Linking with the national standard scale of fines will help deter fly-tippers and keep penalties in line with other authorities.***

- A power could be sought to give Fixed Penalty Notices (otherwise known as "on-the-spot" fines) for offences committed under the byelaws. Currently the only means of enforcing the byelaws is to carry out a full prosecution in the magistrates' court. Although effective, this is a time-consuming and costly process, both for the City Corporation and for the person accused. Fixed Penalty Notices give offenders the option of avoiding formal prosecution by paying a smaller fine (usually no more than £100). This is often a more efficient and proportionate way of dealing with misbehaviour. The advantages of Fixed Penalty Notices are already well recognised in the legal system, with legislation in recent years making them available for an increasing number of minor offences.
- Along similar lines, the City Corporation would like to be classed as a "litter authority" for the Open Spaces, so that it would be able to give Fixed Penalty Notices for littering.

***The City Corporation's policing of the Open Spaces focuses on educating users about proper behaviour, rather than formal enforcement. This is not intended to change. Fixed Penalty Notices would, however, offer a lighter-touch option in those cases where misbehaviour is serious or persistent enough to warrant formal sanction.***

- ♦ An express power could be sought to dispose of rubbish and other objects left in the Open Spaces without proper authority. Sometimes it is already clear that the City Corporation can do this in reliance on its general powers to manage the Open Spaces, for instance in the case of general litter. In some cases, however, such as camping equipment or unlicensed signage, the legal position is less clear-cut. It would seem reasonable to be able to dispose of objects which are left in circumstances where they appear to have been abandoned, or which are not collected within a reasonable period.
- ♦ Views would also be welcomed on whether or not the City Corporation should have the power to exclude persons from the Open Spaces in cases sufficiently serious to warrant it. The public have a right to access the Open Spaces, but if this right is abused in a serious or persistent manner then it might be thought that exclusion for a certain period of time could be an appropriate way of protecting the enjoyment of the law-abiding majority of visitors.

### **How to have your say:**

We hope this document has demonstrated both the need for changes to current legislation, and the desire that these changes are proposed first and foremost for the benefit of the users of the Open Spaces.

It is important that the general direction of the proposals is clear, understood, and supported by local groups and interested parties before the formal Parliamentary process gets underway.

If you have comments or questions, first please speak to representatives at your local Open Space.

If you wish to contact someone directly regarding the implications at Hampstead Heath, Queens Park or Highgate Wood please address this to:-

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# Agenda Item 6

<b>Committee(s)</b>	<b>Dated:</b>
Hampstead Heath Consultative Committee	9 March 2015
Hampstead Heath, Highgate Wood and Queen's Park Committee	23 March 2015
Highgate Wood Joint Consultative Committee	22 April 2015
<b>Subject:</b> Update on Tree Safety Management at the North London Open Spaces Division	<b>Public</b>
<b>Report of:</b> Superintendent of Hampstead Heath	<b>For Information</b>

## Summary

This report provides an update on Tree Safety Management across the North London Open Spaces Division. In March 2014 a report was presented to the Hampstead Heath Consultative Committee on Tree Management, and the Committee made a request for an additional report to be presented focussing on tree safety. This report provides information on tree risk management guidance, the tree inspections process, tree incident reporting, tree health, and external review. In addition, the report provides information on the current practices the Tree Team employs to manage the tree stock across the Division, specialist training and information gathering.

## Recommendation

### Members are asked to:

- Note this report.

## Main Report

### Tree Inspection process and Industry Guidelines

1. The total Divisional tree stock across Hampstead Heath, Highgate Wood and Queen's Park is approximately 25,000 trees. It would not be practicable to inspect every single one of these trees, as there is not sufficient resource to do this. The Health and Safety Executive advise adopting a zoning approach for those landowners who manage a large number of trees. In 2007 a Section Minute was released into the public domain by the HSE that prescribed using a two-tier or two-zone system, which would simply divide those trees into high-target areas, such as highways and close to buildings, and low-target trees growing in less-frequented areas such as woodlands. This approach has now been adopted widely by organisations such as the Royal Parks Agency and the National Trust, and by the City of London. The two-zone system should be considered the minimum, and most practitioners adopt a three- to five-zone system.
2. Part of the problem that Tree Managers face is the absence of any form of clear industry guidance or standard. Other than the Health and Safety Executive's Section Minute mentioned above, there is no accepted guidance document that establishes a standard for all to follow. In 2007 the National Tree Safety Group (NTSG) was established to investigate the feasibility of drafting a British Standard in Tree Risk Management. This would follow a number of other Tree

Management British Standard (BS) documents, including BS:5837 and BS:3998 which deal with trees and development and with arboricultural operations respectively. The NTSG spent considerable time and effort in producing a draft standard known as BS:8516, and a specialist separate BS group was set up to draft a document that was sent out for consultation in 2008. The document was widely commented on but met with extensive criticism and ended up being dropped.

3. Fortunately the NTSG continued as a group and produced instead a guidance document 'Common Sense Risk Management of Trees', which following public consultation was released in December 2011. This publication was widely praised by the industry, and also sanctioned by the HSE. Published by the Forestry Commission, the document has now been adopted by many organisations across the Tree Management Sector. In June 2014 the City of London produced its own Tree Safety Policy, which refers directly to the NTSG guidance. This document was adopted by the Open Spaces Committee in June 2014. The NTSG guidance is founded on five key principles:

- Trees provide a wide variety of benefits to Society.
- Trees are living organisms that naturally lose branches or fall.
- The overall risk to human safety is extremely low.
- Tree owners have a legal duty of care.
- Tree owners should take a balanced and proportionate approach to Tree Safety Management.

4. The NTSG guidance document is made up of five chapters, with key sections on the risks from trees, legal requirements, reasonable and balanced tree management, and how to apply the guidance. The document is aimed at all levels of tree ownership, from large organisations right down to small landowners.

### **Tree risk quantified**

5. The key message to convey to all our visitors and staff is that the risk posed by trees shedding branches or collapsing is very low. The Health and Safety Executive website publishes statistics on injuries and fatalities attributable to trees, in both the Forestry and Arboricultural sectors. The generally accepted average figure for related deaths remains at six occurrences per year, although this does fluctuate. It is significant that the number of fatalities of arboricultural workers is also around six occurrences every year, which gives an indication of the level of focus on tree management.
6. The HSE suggest a threshold of risk management of 1:10,000, where any risk above this level is regarded as unacceptable and must be addressed. The 'Tolerable Risk' region extends from 1:10,000 to 1:1,000,000. The risk from trees is calculated to 1:10,000,000 and is therefore considered to be very low. This calculation was carried out by the Centre for Decision Analysis and Risk Management at Middlesex University, who were commissioned by the NTSG.

### **Tree safety and the Law**

7. Under both the civil law and criminal law, an owner of land on which a tree stands has responsibilities for the Health and Safety of those on or near the land and

has potential liabilities arising from the falling of a tree or branch. The civil law gives rise to duties and potential liabilities to pay damages in the event of a breach of those duties. The criminal law gives rise to the risk of prosecution in the event of an infringement of the relevant provisions.

### The civil law

8. Common law: The owner of the land on which a tree stands, together with any party who has control over the tree's management, owes a duty of care at common law to all people who might be injured by the tree. The duty of care is to take reasonable care to avoid acts or omissions that cause a reasonably foreseeable risk of injury to persons or property. If a person is injured by a falling/fallen tree or branch, potential causes of action arise against the tree owner in negligence for a breach of the duty of care, and/or in nuisance (where the tree or branch falls on neighbouring land). The courts have endeavoured to provide a definition of what amounts to reasonable care in the context of tree safety, and have stated that the standard of care is that of the reasonable and prudent landowner. The tree owner is not, however, expected to guarantee that the tree is safe.
9. Occupiers Liability Act 1957: This imposes a statutory duty of care on an occupier of premises to take such care as in all the circumstances of the case is reasonable to see that the visitor will be reasonably safe in using the premises for the purposes for which he is invited or permitted by the occupier to be there. The duty of care under the Act is effectively the same as that at common law in respect of the torts of negligence or nuisance.
10. Occupiers Liability Act 1984: This provides for an occupier's liability to people other than visitors, in particular trespassers. However no duty will arise under this Act in respect of risk resulting from any natural feature of the landscape (which will include a tree) providing that the occupier does not intentionally or recklessly create the risk.
11. Highways Act 1980: Under section 154(2) of the Act a highway authority has the power to require trees growing on land adjacent to the highway that are dead, diseased, damaged or insecurely rooted to be removed by those responsible for the trees and, in default of removal, to take action itself to have the trees removed. This legislation is relevant to all three sites within the Division, as between them they have responsibility for 10 kilometres of roadside trees, Hampstead Heath being the main site with 8 kilometres. The roadside trees located around and across the Heath represent the largest number at 1,300 and these are inspected annually.
12. Some Regulations under the Health and Safety at Work etc Act 1974 may also give rise to liability under the civil law as well as under the criminal law.

### The criminal law

13. Health and Safety at Work etc Act 1974: Sections 2 and 3 of the Act place a duty on employers to ensure, so far as is reasonably practicable, that in the course of conducting their undertaking, employees and members of the public are not put at risk. The acts of felling or lopping a tree clearly falls within the scope of this duty. It is also likely that the growing and management of trees on land falls within the scope of the duty where – as with the City's management of the Open

Spaces – such operations fall within the employer’s undertaking. The proviso “so far as is reasonably practicable” requires an employer to address the practical and proportionate precautions which can be taken to reduce a risk. The courts have indicated that this requires a computation to be made by the employer in which the amount of risk is placed on one scale and the sacrifice involved in the measures necessary for averting the risk, whether in terms of money, time or trouble, or the benefits of conducting the activity, are placed in the other.

14. Management of Health and Safety at Work Regulations 1999: Regulation 3 requires every employer to make a suitable and sufficient assessment of the risks to the Health and Safety of his employees whilst at work, and to other persons arising out of or in connection with the conduct by him of his undertaking. This necessarily requires an employer to undertake a risk assessment of the tree stock on the land which forms part of the undertaking, and to operate an inspection system which focuses available resources on tree stock in high-use, high-target areas. The HSE Section Minute referred to above suggests a zoning process as the most practicable method of complying with this legal duty.

### **Tree Risk management at Hampstead Heath, Highgate Wood, and Queen’s Park.**

15. The three sites that make up the North London Open Spaces Division have exercised a risk zoning process since 2006. This has proved very effective and allows the tree inspection process to be undertaken internally, using the skills and experience of arboricultural staff, all of whom have the LANTRA Professional Tree Inspection Qualification. This is recognised nationally as the required level for those carrying out tree inspections as a regular part of their work, and assessing trees in areas of high use.
16. In order to make the recording of the inspection process easier, we use a tree management database called Arbortrack, widely used by other organisations and landowners, including other City of London Open Spaces. Of the 25,000 trees across the Division, 7,280 are recorded on Arbortrack, which equates to just under 30% of the total estimated tree stock. The majority of these trees are within the high-risk zone containing roads, facilities and surrounding property.
17. In 2012 the zoning system was modified following advice from a Tree Risk Management Consultant, who also carries out annual tree management audits for the Division. This recommendation followed various discussions about the efficacy and precision of the system that was used at the time, and the lengthy process of inspecting every single tree and recording findings. The proposal was to carry out the annual inspection as a ‘walk over’ process using the Visual Tree Assessment (VTA) protocol, and only recording individual trees that required works. The high, medium, and low zoning system would be retained but the individual zones would themselves be categorised according to perceived risk. This can be mostly easily explained by taking the example of highways and traffic flows, where classification depends on whether the road is a busy arterial road with high numbers of vehicles or mainly used for access only. By ‘sequencing’ each risk category, it was possible to identify more effectively where the inspection operation could be focused.



HAMPSTEAD HEATH & QUEENS PARK - RISK SEQUENCING AREAS										Date of Inspection	Who	Duration (people hrs)	Number of trees	Tree works required	Post weather event walk over		
Group	Sub Group	Target Type	Target Use	Area & description	Priority No												
High 1																12-Dec	15-Jan
1	A1	Major external road	Very high volume vehicular traffic	North End Way (both sides) - A road	20		07/02/2014	DH/NH	3 hrs	98	5				Y	Y	
1	A2	Over ground train Line	Frequent rail passage	Gospel Train Line (including play facilities)	20		11/02/2014	CD/NH	1.5 mins	46	2				Y	Y	
1	A3	Major external road	Very high volume vehicular traffic	Spaniards Road (both sides & Hampstead Lane orchard section) - B road	20		06/03/2014	CD/NH	4.5 hrs	224	4				Y	Y	
1	B1	Major external road	High to moderate volume vehicular traffic	East Heath Road (incl VoH road, & Whitestone gen) - Classified unnumbered road	19		10/04/2014	DH/NH		213					Y	Y	
1	B2	Major external road	High to moderate volume vehicular traffic	Southend Green (inc Keats House, Willow road & Heathside) - Classified unnumbered road	19		12/03/2014	CD/NH	2 hrs	75	30				Y	Y	
1	B3	Major external road	High to moderate volume vehicular traffic	Highgate Road - Classified unnumbered road	19		15/04/2014	NH	30 mins	27					Y	Y	
1	C1	Major external road	Moderate volume vehicular traffic	Queens Park (external road) - Classified unnumbered & B road	18		23/06/2014	CD/DH	4hrs	194	9				Y	Y	
1	C2	Major external road	Moderate volume vehicular traffic	West Heath Road (including Branch Hill & Judges Walk)	18		30/06/2014	DH	1.5hrs	138	3				Y	Y	
1	C3	Major external road	Moderate volume vehicular traffic	Hampstead Way/Wildwood Road - Classified unnumbered road	18		03/07/2014	DH/CDPC	4.5hrs	225	4				Y	Y	
1	C4	Major external road	Moderate volume vehicular traffic	West Heath Avenue - Classified unnumbered road links to A road	18		20/06/2014	DH/JM	1hr	15					Y	Y	
1	D1	Major external road	Moderate to low volume vehicular traffic	Millfield Lane - Classified unnumbered road links to B road	17		04/07/2014	CD	1hr	60					Y	Y	
High 2																	
2	A	Focus/formal areas	High public invited access area	Dams - Water safety management area	16			MS	4 hrs	76					Y	Y	
2	B1	Focus/formal areas	High public invited access area	Queens Park - High local residency	15		15/09/2014	CD/MS	5hrs	374	13				Y	Y	
2	B2	Focus/formal areas	High public invited access area	Golders Hill Park - Moderate - high local residency	15		12/11/2014	DH/CD/MS	6hrs	1499	13				Y	Y	
2	C	Focus/formal areas	High public invited access area	Play & education areas - inc PH, EH, Vale, GH, Ext & KW	14		18/11/2014	CD/MS	6hrs	105	9				Y	Y	
2	D	Focus/formal areas	High public invited access area	Swimming Ponds - Amenity usage	13		08/11/2014	CD/MS	6hrs		3				Y	Y	
Medium																	
3	A1	Paths/tracks	High to moderate pedestrian use	Parliament Hill below Kyte Hill - Surfaced footpath/pavement	12		26/1/2015	DH/CD/AN/MS	2.5hrs	?	9				Y	Y	
3	A2	Property boundary	High to moderate pedestrian use	Various (see map)	12		23/12/2014	AN	5hrs	?	3				Y	Y	
3	A3	Paths/tracks	High to moderate pedestrian use	Cycle Tracks - Surfaced footpath/pavement	12		06/02/2015	CD/AN/MS		?					Y	Y	
3	B	Paths/tracks	Moderate to high pedestrian use	Hampstead Gate - Chubb path - South Meadow tarmac path	11		14/01/2015	MS/AN	3hrs						Y	Y	
3	C	Paths/tracks	Moderate to high pedestrian use	Hill Garden & outside the main entrance - Surfaced footpath/pavement	10		15/12/2014	DH/CD/AN	3hrs	57	1				Y	Y	
3	D	Paths/tracks	Moderate to high pedestrian use	Lime Avenue - Surfaced footpath/pavement	9		22/12/2014	AN	1hr		1				Y	Y	
3	E	Paths/tracks	Moderate to high pedestrian use	West Heath Main paths - Surfaced footpath/pavement	8										Y	Y	
3	F	Paths/tracks	Moderate to high pedestrian use	Extension internal paths - Surfaced footpath/pavement	7										Y	Y	
3	G	Paths/tracks	Moderate to high pedestrian use	Pond Beat - Surfaced footpath/pavement	6										Y	Y	
3	H1	Paths/tracks	Moderate pedestrian use	Athlone garden - Surfaced footpath/pavement	5										Y	Y	
3	H2	Paths/tracks	Moderate pedestrian use	Sandy heath internal paths - Surfaced footpath/pavement	5										Y	Y	
Low 1																	
4	A	Bridal Paths	Moderate to low horse & pedestrian use	Horse Rides Ext, Sandy, West Heath South Meadow - Bridal path (designated)	4												
4	B1	Paths/tracks	Moderate to low pedestrian use	Vale foot paths - Broad trodden track, pedestrian use	3												
4	B2	Paths/tracks	Moderate to low pedestrian use	Cohens Field - Broad trodden track, pedestrian use	3												
4	C	Desire paths	Moderate to low pedestrian use	Various Heath wide desire paths - Narrow single file trodden footpath	2												
Low 2																	
5	A	Restricted/fenced off areas	Low pedestrian use	Bird sanctuaries & fenced ponds - Only authorised personnel enjoy access	1												
Key																	
Group 1		Major roads & rail line			High 1	High Use targets		Areas out of 31		Hrs		Trees		as of ...		26/01/2015	
Group 2		Formal areas			High 2			22									
Group 3		Paths & well used tracks			Medium	Medium Use targets						3264					
Group 4		Bridal ways & significant desire lines			Low 1	Low Use targets											
Group 5		Fenced off area			Low 2												

Figure 1: Tree inspection schedule for 2014

18. The Risk Sequencing System (RSS) has been very successful, allowing the Team to inspect trees more effectively and achieve higher inspection numbers. The success of the system is highly dependent on the competence and training of the inspector. The trees that are being re-inspected are well known to the Inspection Team, and are each already recorded with their individual history on the Arbortrack database. Trees that require work are recorded and then allocated a priority on a separate works list, which is regularly updated by the Tree Management Officer. Tree inspection progress is reviewed at regular meetings between the Tree Manager and the Tree Management Officer. All tree incidents are recorded on a separate database that has been maintained since 2008.

## Specialist tree inspection work

19. Members of the Tree Team have developed their skills and experience in carrying out detailed tree assessment over the past six years, and can now employ a variety of technical investigatory procedures that can determine structural integrity and the extent of decay in older or damaged trees. They can employ a micro drilling device called a Resistograph, which provides an instantaneous visual display of the internal structure of the branch or stem being assessed. This device allows the Team to determine the 'residual wall' strength of the tree and make decisions on whether the tree requires a crown reduction or other suitable management. The acceptable rule of 30% of the known radius of the tree's main stem is considered to be the optimum wall thickness, but there are exceptions to this guidance, depending on age and species.



Figure 2: Resistograph being used to test for internal decay

20. The Tree Team has also started to carry out more root inspection work when possible, often on trees where there are evident fruiting fungal bodies, or where the root zone is compacted. The Team uses a compressor-powered air lance or air spade to carry out the excavation work, which prevents damage to the larger, more significant lateral and supportive roots. This equipment has been used to great effect on a number of trees where root damage has been suspected and allowed construction design to be altered to avoid further damage. Air spading has proven very effective at reducing compaction around veteran trees on the busier, more frequented areas of Hampstead Heath. The image below is from a recent investigation in Highgate Wood on one of the larger oaks near Muswell Hill Road. The tree was previously damaged in the 1987 storm and it was discovered that the main stem has a significant crack that has now occluded over but can still be detected using the Resistograph.



Figure 3: Oak tree root investigation at Highgate Wood



**Other technical skills including lifting and lowering operations.**



**Figure 4: Veteran oak crown reduction**



**Figure 5: Dismantling of a field boundary oak**

21. Figures 4 and 5 above show lifting and lowering operations undertaken by the Tree Team over the past twelve months. Figure 4 involved a light crown reduction on a veteran oak at the bottom of the Tumulus Field, using the Highgate Wood hydraulic work platform. Figure 5 shows the Team working on an old field boundary oak in Golders Hill Park, which required dismantling using a 'spider' crane. The Team has started to use both types of equipment with greater frequency, developing their skills and expertise on technically challenging operations that would have previously required bringing in external contractors.

22. The significance of this changing approach to tree management is reflected more widely within the industry, with a greater emphasis on saving trees that would have previously simply been removed. Over the past ten to fifteen years, there has been an 'awakening' in the arboricultural world, with increased scientific understanding of the biomechanical properties of trees and their biology, and equally importantly how they interact with their surrounding environment. Arboriculturists can now employ an in-depth understanding of the 'body language' of trees, their complex relationship with the soil environment and other species, notably fungi. Equipped with this greater understanding of how trees grow and adapt to a suite of varying factors, the tree inspector can make more-informed decisions on how trees can be safely managed without major interventions.

### **Pest and Disease threats and the impact on tree safety**

23. The Tree Team actively inspects populations of oak, London plane, ash and horse chestnuts for the presence of Oak Processionary Moth, Massaria, ash dieback, and horse chestnut bleeding canker. Records are kept of findings and then transferred to a series of maps that plot the extent of each respective disease. Trees that are sited in the high and medium zones are numerically prioritised and are subject to annual walk-over inspection by the Tree Team.

Massaria of Plane remains a significant operational focus for the Tree Team, with established infection sites at South End Green and Queen's Park.



Figure 6: Branches with Massaria

24. Both the Divisional Tree Manager and the Tree Officer are involved with the London Tree Officers Association (LTOA) in the management of tree disease. The Tree Manager is a member of the LTOA's Biosecurity Working Party, which meets quarterly, and the Tree Officer has been significantly involved in the LTOA's guidance on managing Massaria. The importance of working with other organisations such as the Arboricultural Association and the Forestry Commission is critical in the ongoing control of tree disease.
25. The Tree Team works closely with partners in the Forestry Commission to track male Oak Processionary Moths (OPM), using pheromone traps across the site which feeds back into a London-wide mapping strategy. Last year 27 male moths were discovered in the traps across the Division. As yet, there have been no egg-carrying females discovered but there are known nests at the Zoo in Regent's Park, just over two kilometres to the south of the Heath. There have also been nests found at an Open Space in the Borough of Brent, which is within two kilometres of Queen's Park. This year there has been an additional winter survey carried out which has provided accurate information on the insect's current distribution in the London area. A number of further nests have been discovered in Regent's Park which is significant for the Heath. One of the potential concerns about the caterpillar when it is discovered on site is the impact this will have on the Tree Team's ability to work on the trees that have been colonised. The arrival of OPM will impact not only on public access and safety but also on existing tree management operations, and will need to be carefully considered.



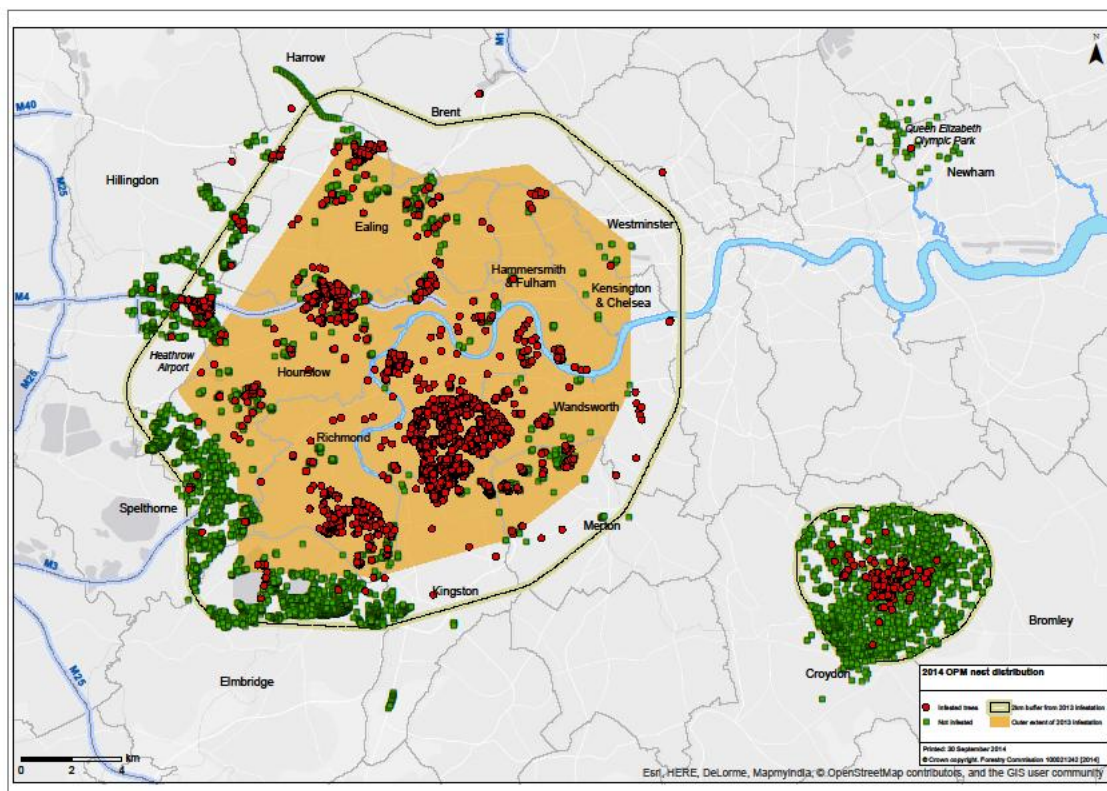


Figure 7: Oak Processionary Moth spread 2014

## Increased frequency of extreme weather events

26. The St Jude's Storm in October 2013 caused a huge increase in the tree incident records at both Hampstead Heath and Highgate Wood. The final total for 2013 was over 300 recorded incidents, a fourfold increase on the annual average. The impact of this was that the Tree Team's operational work was severely disrupted and other teams had to provide support for the process of making the many damaged trees safe and clearing debris. A storm of this magnitude is commonplace in other parts of the world but in the UK it is relatively rare, though this trend is changing. This winter we have experienced a number of strong westerly weather systems, bringing high winds and heavy rain, but fortunately the predictions from the Meteorological Office proved to be incorrect and the damage this year has so far been very low.

27. In Highgate Wood, Golders Hill Park and Queen's Park, an early warning system has been introduced, using the Meteorological Office's messaging service. Storm warnings are generally issued three to four days beforehand, and this allows Management to issue instructions to staff to install signage warning of a possible site closure due to high winds. The system has been employed twice over the past three months but closures were not necessary, due to lower than predicted wind speeds.

## Corporate & Strategic Implications

28. Tree management contributes to producing a Clean, Pleasant and Attractive City (Objective CPAC4) and to Conserve and Protect Biodiversity (Goal 15) in the Community Strategy. It will also help fulfil the Department's Strategic Goals and Objectives: No. 2. To adopt sustainable and sensitive working practices, promote biodiversity and protect the Open Spaces for the enjoyment of future generations, and No. 5. To ensure that the profile of the Open Spaces is further recognised

through working in partnership with others to promote our sites and through influencing policies at a local, regional and national level.

## **Implications**

29. There are no anticipated financial implications resulting from this report.

30. The legal implications are contained within the body of this report.

## **Conclusion**

31. The Tree Safety Management process at Hampstead Heath, Highgate Wood, and Queen's Park has developed in line with industry changes and a new, more scientifically based approach to managing trees. This new approach still has to operate within the parameters of the relevant legal requirements and Health and Safety considerations. The increasing frequency of severe weather events and the added requirement to manage the impact of tree disease is creating challenges for the Tree Management Team. Developing knowledge and technology, and the sharing of expertise and support from other organisations involved in the sector, will be critical in continuing to deliver a high-quality Tree Safety Management service.

## **Appendices**

- Appendix 1 – 'Managing Tree Safety' City of London Open Spaces Department June 2014

## **Background Papers**

- National Tree Safety Group guidance document 'Common Sense Risk Management of Trees'. Available to view or download from:  
<http://www.forestry.gov.uk/publications>.

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# CoL OPEN SPACES DEPARTMENT POLICY: MANAGING TREE SAFETY

## 1. Policy Introduction and Context:

**1.1** Each Division, for its geographic area of responsibility where it would be deemed as the occupier as defined by the Occupiers' Liabilities Acts, must have a risk limitation strategy for trees based upon the 5 key principles identified by the National Tree Safety Group in *Common Sense Management of Trees* (NTSG 2011) endorsed by the Health and Safety Executive (HSE).

### The 5 key principles

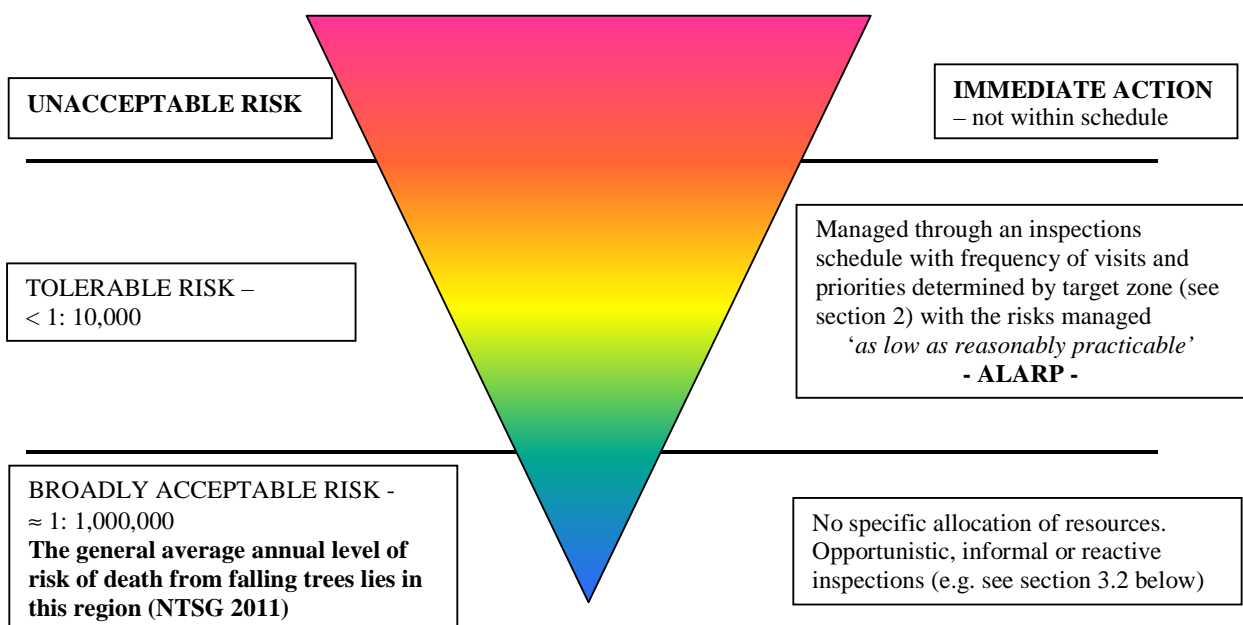
- trees provide a wide variety of benefits to society (including supporting significant biodiversity)
- trees are living organisms that naturally lose branches or fall
- the overall risk to human safety is extremely low
- tree owners have a legal duty of care
- tree safety management should be balanced & proportionate to risk/benefit.

**1.2** As part of each Divisional Strategy there must be a:

- clear zoning system
- verifiable tree hazard inspection regime
- balanced, proportionate risk assessment
- clear risk management process.

**1.3** The Tolerability of Risk (ToR) Framework set out in Figure 1 below will be the basis for each Divisional strategy. Therefore, in deciding upon actions, the evaluation of what is reasonable and proportionate intervention must be based upon a balance between the benefits and potential for harm. The risk of being killed by a falling branch or tree is extremely low according to the HSE (Figure 1).

**Figure 1: Tolerability of Risk Framework**



**1.4** In general, NTSG 2011 states that “*the courts appear to indicate that the standard of inspection is proportional to the size of and resources available (in terms of expertise) to the landowner*”. In determining the resources the level of risk, which is very low (Fig. 1), is also key and a “*reasonable and prudent*” approach is required in this context.

**1.5** The risk management process and tree hazard inspections should not lead to a loss of character or species diversity within Open Spaces. It should ensure that a balance is maintained between nature and landscape conservation, public access, recreation and enjoyment, and risks to safety posed by trees.

**1.6** Except where there is an imminent danger to life, before work is undertaken on any tree an assessment of its use by bats (and other protected species) as well as of the general requirements of any statutory wildlife protection of the site (e.g. SSSI/SAC) must be undertaken and advice sought from relevant authorities to prevent damage to those species or habitats. For bats a Bat Risk Assessment form should be completed to provide written evidence of procedure and to record the rationale for subsequent actions.

**1.7** In order to undertake a tree risk assessment the two separate factors of *Risk* and *Hazard* must be addressed:

- **Risk** is an estimate of the likelihood and severity of an adverse event occurring. The NTSG (2011) principles upon which this policy is based recognise that overall the risk to human safety from trees is extremely low (see Figure 1 above). Risk is related to the location of the tree. It reflects the intensity of use of the immediate surroundings of the tree and the proximity of the tree to buildings or other structures. The intensity of use by the public, staff, volunteers and contractors within Open Spaces is not evenly distributed and, therefore, levels of risk may vary across a site. This fact must be recognised in an appropriate, site-specific tree inspection zoning system.
- **Hazard:** Trees are subject to decline, physical damage and infection. As trees deteriorate they are increasingly likely to shed limbs or fall in strong winds and the potential to cause harm increases. Remedial action is only necessary when there is clearly a significant risk to life or property. This might mean either removing part of the tree that is creating the hazard or reducing the level of public access in the vicinity or both.

## **2. Divisional Zoning System**

**2.1** The zone designation below will determine the priority and regularity of proactive inspections.

**2.2** Divisional resources must be directed to the areas in proportion to the potential for harm to people and property. As such, zones must be related to identifiable, potential “targets”, both physical targets such as property and targets based on level of usage of an area by people. Both the nature and frequency of use of the “target” by people need to be taken into account. Where no data on levels or patterns of use are directly available for an area, the level of use by people should be a reasonable estimate based on local knowledge of the area and its particular features. A reasonable outcome of the zoning process may be the decision that some areas require no proactive inspections.

**2.3** Decisions on zones and the definition of each zone need to be recorded and be accessible for inspection. Zoning systems at each Divisional area of responsibility should be reviewed periodically in order to take account of significant changes to site use, the uses of adjoining land or modifications to site boundaries.

**2.4** Zoning will be achieved by each Division by designating each area of land under its responsibility into a minimum of three *Use Levels* requiring some level of proactive inspections based on the concepts of risk and hazard outlined above.

- **High Use targets** - coloured **red** on the tree inspection map.
- **Medium Use targets** - coloured **amber** on the tree inspection map.
- **Low Use targets** - coloured **green** on the tree inspection map.



**2.5** Within the Open Spaces the variety of sites and situations, rural and urban, is very large and zoning needs to reflect local knowledge and divisional differences. It should be recognised that within each of the target zones, there may be a need to prioritize further based on availability of resources.

**2.6** Areas deemed as of *broadly acceptable risk* (see Figure 1 above) because of low use and low target levels would require zoning so that the demarcation is clear but may not require proactive inspections. These will be demarcated but left **uncoloured** on the zone map.

### **3. Inspection regimes**

#### **3.1 Proactive Inspection Regime and Competence Level for Inspectors**

3.1.1 The identified coloured zones above must each have a proactive, formal inspection regime defined and carried out at a frequency based on the level of use of the target. A competent Inspector will assess the tree. For all Open Spaces Department formal inspections, tree inspectors will be trained to LANTRA Professional Level, have passed the Professional Tree Inspection (PTI) course and possess demonstrable, recent experience of tree risk assessment work.

3.1.2 Defects on the trees will be recorded in order to assess the potential hazard and consider the risk posed by the defect. Given that the risk to human safety from trees is, in general, very low the assessment of defects needs to bear this in mind. However, where i) the risk to a target is considered high (see Figure 1 above); ii) the tree is of importance for nature conservation or has landscape value and iii) the nature of the hazard posed by the defect is uncertain (e.g. level of internal decay) more detailed assessments may be carried out before a decision on the type of action required is taken.

3.1.3 During walk-by inspections within a surveyed zone, trees with no obvious defects, that appeared sound and that required no further level of inspection would not need to be recorded. A record of the visit to that zone by the inspector would be all that would be required. However, any trees subject to more detailed individual inspection, whether requiring subsequent action or not, would require a record. Once the work has been completed on these recorded trees, if they are retained rather than felled they do not necessarily require future recording unless a subsequent survey flags them up again as having obvious new defects requiring another inspection. However, in High Use Target zones, should time and resources allow, site managers may wish to continue individual inspection regimes once started. However, this is not a requirement of this policy and will be dependent on the characteristics of the trees involved and the nature of the site and its zones. The purpose of the annual inspection is to pick out obvious problems and prioritize them, not to repeat recording.

3.1.4 All records must be readily accessible to relevant staff and will be kept indefinitely. This will be especially important for those trees located next to Highways and other high use target zones.

3.1.5 Any tree works that are required must be prioritized according to risk, taking account of location (target level) and hazard, and there must be a recommended period for the work to be carried out. The range of this period might be from immediate action up to a recommendation for work within 12 months.

#### **3.2 Reactive Inspections**

3.2.1 Sites must have a local emergency plan that details the actions to be taken in the event of severe weather conditions or events, such as storms, flooding, drought and fire. This emergency plan would be additional to, over and above, the regular proactive inspection regime. There also may be the need for other reactive inspections over and above the proactive inspection regime where a new target is created or develops rapidly (e.g. an unplanned public event).

3.2.2 Therefore, in either enacting an emergency plan or responding to a new and changing situation, reactive inspections of trees should be focused on identifying *serious and present dangers* (NTSG 2011). Such inspections may be carried out by any person able to identify such threats and with a good local knowledge of the site. Such persons do not need to be qualified specifically for tree inspections. These reactive inspections do not constitute detailed inspections, as defined by NTSG 2011. However, follow-up detailed inspections of identified trees by PTI-qualified inspectors may be required in order to prioritize remedial action if large amounts of work are involved.

3.2.3 For reactive inspections following weather events, including drive-by checks, the top priority is to identify the areas of worst damage and then to prioritize the inspections in order of zonal priority but this may include areas not normally proactively inspected, if deemed necessary, because of new *serious and present dangers* created by the event or reported by others on the site.

#### 4. Risk assessments and determining priorities

**4.1** Risk assessments may be qualitative or quantitative to suit the needs and resources of each Division and each site. For larger, more complex sites with many targets and many trees, quantitative assessments, such as provided by a Target Risk Index (TRI), should be considered as an option to help stratify priorities and determine the order and speed with which remedial action is taken.

**4.2** If a quantitative system is chosen it should be based on target sequencing to generate a Target Risk Index (TRI). Resource allocation should take an As-Low-As-Reasonably-Practicable (ALARP) approach as described in the NTSG guidance (2011 and see Figure 1 above).

**4.3** A priority matrix should be formulated based on the hazard rating: - Tolerability of Risk (ToR) (see Figure 1 above) and the Target Risk Index (TRI). This matrix would then enable cost-effective decisions to be made with clear justifications.

#### What Documentation Should be Kept?

- Up-to-date tree zoning maps, zoning rationale and reviews
- Records of tree inspection visits/timesheets – signed and dated by inspector.
- Individual tree management recommendations and actions, preferably also on a computer GIS database (e.g. *Arbortrack*, *EzyTreev*) for larger sites
- Records of more detailed individual tree investigations if undertaken – (e.g. *Picus* tomography records of internal decay)
- Records and details of reactive inspections following severe weather events and any site closure programme.
- Records of any tree disease survey or other tree health monitoring activities.
- Records of training and copies of certificates for all relevant members of staff.
- Records of contractors and their competency checks.

#### Summary of Open Spaces Policy for Managing Trees

- Each Division must have tree safety management guidelines comprising of tree zone map(s), tree inspection regime, and tree risk assessment & management procedure.
- Deal with immediate threats to public safety as a priority.
- Keep records of the assessment of trees and the remedial actions taken.
- A competent person will undertake inspections of trees to assess the risks they pose. Keep records of tree safety training and monitor these to ensure training and certificates renewed.
- Inspect areas of high use levels as soon as is reasonably practicable and within five days of any storm event, and record the appropriate measures taken to make the site safe.
- Monitor the weather forecasts and print off the relevant information and display appropriately.
- Monitor the near miss records as per the tree safety management system and transfer records to tree safety recording forms/database.
- Undertake appropriate surveys of trees for environmental factors that are hazardous to human health e.g. Oak Processionary Moth. Take appropriate action and record the activity.

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<b>Committee(s)</b>	<b>Dated:</b>
Highgate Wood Joint Consultative Committee	22 April 2015
<b>Subject:</b> Cycling in Highgate Wood	<b>Public</b>
<b>Report of:</b> Superintendent of Hampstead Heath	<b>For Decision</b>

## Summary

This report provides information for the Highgate Wood Joint Consultative Committee to make a recommendation to the Hampstead Heath, Highgate Wood and Queen's Park Committee on whether the cycling ban in Highgate Wood should be upheld. A member of the public, and a cyclist, has requested that the prohibition of cycling in Highgate Wood be lifted based on the safer cycling environment that Highgate Wood offers and the national and local policies on encouraging and supporting cycling and its health benefits. This report will provide evidence for both lifting and upholding the cycling ban in the light of recent information, and the increasing popularity and political support for sustainable transport.

## Recommendations

Members are asked to:

- Note the report, and make recommendations to the Hampstead Heath, Highgate Wood and Queen's Park Committee that the Officers will raise the issue of improving cycling safety and provision along the Muswell Hill Road with the London Borough of Haringey.
- Officers also recommend that Byelaw 10 be maintained and enforced but that children under the age of 12 be allowed to ride a bicycle under close supervision.

## Main Report

### The growing popularity and benefits of cycling

1. There has been a massive increase in cycling in London over the last 15 years; a report issued by Transport for London in 2011 reported a 150% rise in cycling in the 10 year period between 2000 and 2010, and there has been a corresponding campaign at both governmental and local authority level to encourage Londoners to get out of their cars and cycle instead. The advantages of cycling are many; personal well-being, economical, zero emissions, and low impact on both the natural environment and the built infrastructure. The only real disadvantage is that cyclists have to share the road network with cars and commercial traffic and that is inherently dangerous.

2. The road safety issue for cycling has become a major political issue, following a spate of fatalities in 2013 in central London and a call for improved provision for cycling on the road network. There is now a widely publicised campaign and public consultation leading up the proposed Cycle Superhighway Project that will provide a new cycle route through central London connecting east to west; the cyclists answer to the Cross Rail Project. The current Mayor and the Greater London Authority are backing this ambitious Project and launched the 'Vision for Cycling' in March 2013. Various Local Authorities have their own Cycling promotion policies and offer local authority employees' preferential loan schemes to purchase bicycles for travelling to work.

### **City of London's support of cycling**

3. The City is also playing a central part in the Cycle Superhighway Project already mentioned above; with significant sections of the cycle route passing through the City and the additional north south route also transecting the Square Mile. New contra flows cycle lanes are being built in congested areas and the City is working with Transport for London on delivering part of the 'Quiet Ways' Project, another scheme to divert cyclists off busy traffic routes onto safer routes. The City of London also promotes cycling with various schemes including charitable ride events; the Lord Mayor took part in a 100 kilometre charity ride to Oxford in June 2013. The City of London Corporation offers a bicycle loan scheme at very favourable rates to all its employees.
4. At many of the City of London's Open Spaces cycling is actively encouraged including Hampstead Heath and Epping Forest; the Heath has a total of just over four kilometres of designated cycle paths which are shared with pedestrians. Epping Forest offers an extensive network of cycle routes and also a bicycle hire scheme. City of London Open Spaces staff are increasingly using bicycles in the course of their patrolling and Rangering duties, including electric bikes to take some of the pain out of the hilly sections.

### **The Cycling ban in Highgate Wood.**

5. Cycling has been prohibited in Highgate Wood for many years, and the ban is enacted in Bye Law Number 10, which also prohibits motor cycles, tricycles, wheel barrows, and motorised vehicles. The Bye Laws were last revised in 1997.
6. There are a number of reasons for the cycle ban in the Wood. First and foremost it is the informed belief of the staff and management that allowing cyclists into the Wood will compromise the safety of pedestrians and especially young children, and the elderly, both of whom make up a large proportion of the visitor profile for the site. Prior to the installation of the bicycle barriers in 2006/7 there were regular conflict situations between pedestrians and cyclists. The earlier barriers were largely ineffective and many cyclists were able to use the commuter route between Onslow and Gypsy Gates as an alternative to using Muswell Hill Road.
7. Since the installation of the barriers the number of cyclists gaining access has fallen considerably and the commuter route from both Onslow Gate and Cranley Gate to the north down to Gypsy Gate is now much safer for pedestrians especially at busy periods and weekends.

8. Highgate Wood does make a concession for children under the age of 12 to cycle in the Wood, recognising that the vehicle free pathways and the lack of obstructions make for a relatively safe environment to learn how to ride.
9. The additional concern is that with Highgate Wood visitor numbers approaching the 900,000 mark, and increasing annually, introducing cycling is simply going to increase the already significant issue of visitor pressure on the woodland environment. Incrementally the understory and herb layer of the woodland is being eroded and degraded simply by the sheer numbers of visitors and there is a real concern that the site has reached a critical state, where woodland regeneration will become increasingly difficult to achieve.

### **The case for allowing cycling in Highgate Wood**

10. The representation calling for the lifting of the cycling ban in Highgate Wood makes the point that there is open access to cyclists in a number of Open Spaces in the London Borough of Haringey including Finsbury Park, Parkland Walk and also Alexandra Park. It is possible to cycle from Finsbury Park along the Parkland Walk as far as Archway Road, and also from Alexandra Palace Park to Muswell Hill Road. Unfortunately, cyclists are then required to use the road network to the west and also to the south both of which are busy roads.
11. There have been proposals to effectively continue the route west from the northern section of Parkland walk from Muswell Hill Road, following the old Alexandra Palace railway line around the north and western edge of Highgate Wood. This proposal was not viable due to the large footprint of the Tube Network's servicing yard which effectively blocks the route just south of Lanchester Gardens.
12. The case is made that cyclists should be allowed the option of using the pathway in Highgate Wood that runs north/south parallel with Muswell Hill Road. The rough non tarmacked surface will discourage cyclists from travelling at speed and signage can be installed to encourage cyclists to respect pedestrians and to adopt a precautionary attitude especially during busy periods. The assumption is that the majority of commuter cyclists will choose to ride down or up Muswell Hill Road, due to the pathway surface in Highgate Wood and the presence of pedestrians. Those cyclists that choose to cycle through the Wood will be able to enjoy the woodland environment and the less steep inclines, and of course the lack of vehicles.

### **Other possible solutions worth exploring**

13. Muswell Hill Road although a very busy route for vehicle traffic does have the advantage of having a bus lane on the south bound side which does mean that cyclist are separated from vehicles (apart from buses and taxis). There are a number of maps with accident statistics for cyclists that have been made available on the internet, and there are no incidents recorded on Muswell Hill Road, but there have been accidents at the Archway Road intersection.
14. There is also the possibility of creating a purpose built contraflow route for cyclist along Muswell Hill Road. The pavement on the western side of the road that runs along the fence line of Highgate Wood could conceivably be converted into a cycle lane, but clearly this would be an expensive project that

Haringey could ill afford in the climate of continuing cuts. However, it should be considered as an alternative, as there are no side roads or vehicle access points.

15. The London Borough of Haringey refers to the promotion of cycling and improvement of cycling provision across the Borough in their Local Plan: Strategic Policies 2013-2026. They refer to the London Cycle Network and give an assurance that cycling will be considered in all highway improvement work. The Highgate Wood Manager will be making contact with the Highways Team at Haringey and will be investigating what plans the Local Authority have for improving cycling provision on Muswell Hill Road.

### **Corporate & Strategic Implications**

16. The proposal contributes to producing a Clean, Pleasant and Attractive City (Objective CPAC4) and to Conserve and Protect Biodiversity (Goal 15) in the Community Strategy. It will help fulfil the Department's Strategic Goals and Objectives 2 (To adopt sustainable and sensitive working practices, promote biodiversity and protect the Open Spaces for the enjoyment of future generations) and 5 (To ensure that the profile of the Open Spaces is further recognised through working in partnership with others to promote our sites and through influencing policies at a local, regional and national level).
17. Allowing cycling in Highgate Wood would also conflict with key objectives in the Highgate Wood Conservation Management Plan. The management of visitor pressure and the vulnerability of the Ancient Woodland habitat are both key issues and are referenced in the policy section of the document (Section D).

### **Implications**

18. Should the decision be taken to lift the ban on cycling in Highgate Wood a number of changes would have to be made to the entrances to allow access for cyclists. The existing entrances with integral barriers would need to be modified, and signage would need to be changed. The other important factor would be the amendment to the existing Bye Laws requiring the approval of the Secretary of State. All the above would have costs implications.

### **Conclusion**

19. Highgate Wood is an Ancient Woodland site, and Ancient Woodland is a vulnerable habitat. Add to that the additional factor of the urban location of the site and the increasing numbers of users visiting the site, are a growing concern. Against these concerns the Highgate Wood Joint Consultative Committee needs to consider the obvious benefits of cycling and the added attraction of being able to cycle in a woodland setting without the danger of road vehicles.

### **Appendices**

- None



## **Background Papers**

- Transport for London. 'Travel in London: Report 4'. Available to view or download from: <http://www.tfl.gov.uk/cdn/static/cms/documents/travel-in-london-report-4.pdf>

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<b>Committee(s):</b>	<b>Date(s):</b>
Hampstead Heath, Highgate Wood and Queen's Park Committee (For Decision)	20 January 2015
Highgate Wood Joint Consultative Committee (For Information)	22 April 2015
<b>Subject:</b>	<b>Public</b>
The State of UK Public Parks 2014 – Renaissance to Risk?	
<b>Report of:</b>	<b>For Information</b>
Director of Open Spaces	
<p style="text-align: center;"><b>Summary</b></p> <p>The recent Heritage Lottery Fund report 'The State of UK Public Parks 2014 – Renaissance to Risk?' provides an important insight into the current state of Parks in the UK. This report summarises the key findings and considers the issues that are particular relevant to the City of London; both in managing green spaces across London and in supporting the wider green space agenda across London.</p> <p><b>Recommendation(s)</b></p> <p>Members are asked to:</p> <ul style="list-style-type: none"> <li>• Note the report; and</li> <li>• Consider the following:- <ul style="list-style-type: none"> <li>i. appoint the Chairman of the Hampstead Heath, Highgate Wood and Queen's Park Committee as the Park Champion in recognition of his/her role working with stakeholders at each open space; <b>or</b></li> <li>ii. seek to appoint those Members of the Hampstead Heath, Highgate Wood and Queen's Park Committee, the Highgate Wood Joint Consultative Committee, and the Queen's Park Joint Consultative Group who are elected local Councillors as Park Champions for Hampstead Heath, Golders Hill Park, the Hampstead Heath Extension, Highgate Wood, and Queen's Park; <b>or</b></li> <li>iii. approve a 'do nothing' approach on the basis that the City of London Corporation already has comprehensive consultative and partnership arrangements in place for Hampstead Heath, Highgate Wood and Queen's Park.</li> </ul> </li> </ul>	

## **Main Report**

### **Background**

1. On June 3<sup>rd</sup> 2014, the Heritage Lottery Fund (HLF) published a report entitled 'The State of UK Public Parks 2014 – Renaissance to risk?' a copy is attached at Appendix 1. HLF commissioned three surveys and compared results with pre-existing data to identify current issues and challenges.
2. The independent surveys sought views from:-
  - Local Authority Park Managers
  - Park Friends and User groups
  - Public Opinion by Ipsos MORI

### **Current Position**

3. The HLF report demonstrates that the condition of parks across the UK has improved significantly since 2001. However, the surveys show that the future for parks is very uncertain. With government funding reducing by 20% in real terms in the last four years and future reductions expected, parks as a non-statutory service are highly vulnerable. The decline in spending is likely to be greater than public parks faced in the 1970 and 1980's; a period of chronic decline for UK parks. Unlike built facilities where closure is immediately clear, the reduction in park maintenance may go unnoticed until neglect results in a spiral of decline and sites are abandoned by the public. The report suggests that by 2020, some local authority's Parks Services may no longer be viable.
4. The cost to users. Most local authorities have increased fees for the use of facilities in the last 3 years and expect to continue this trend. The report highlights that charges need to be balanced against the provision of accessible services, to as wide a range of people as possible. At the very time when the need to tackle obesity and poor health is essential, the cost of sports facilities and activity is increasing. Further, 19% of local authorities surveyed mentioned disposing of parks and 45% are considering the disposal of some open spaces.
5. Loss of staff and skills. The survey results identify that 77% of councils have reduced frontline staff and 81% park managers. The loss of skills and staff results in less ability to support community groups, innovate or share management skills. The report highlights the importance of volunteers receiving training from motivated, skilled staff.
6. Regional inequalities. The largest proportion of good parks is found in London and the East Midlands, with the parks currently most in decline in Scotland, Wales and the North West. Urban metropolitan and unitary authorities, where the use of parks is greatest, received a higher proportion of cuts and staff losses in the last three years.

7. Communities. The number of Friends and user groups has increased by 30% in the last three years and membership by 47%. There are some 5,000 groups across the UK raising a significant £30million each year.
8. Quality of Life. User's value parks with 68% considering them important or essential to their quality of life; in urban areas this increases to 71% for family's and over 81% for those with children under five years old. The report summarises why parks matter under the headings of:
  - Family life
  - Supporting health and happiness
  - Improving social cohesion
  - Promoting local economic development
  - Delivering environment services
9. Call to action. The HLF report concludes that the research provides an early warning of the potential risk facing the UK's parks and sets out five key challenges for the future, calling on government, local authorities, business, the voluntary sector, academic institutions and the public, to take urgent action.

In summary, the challenges include:-

- Local authority commitment – ongoing and renewed commitment to fund staff and manage parks. Local authorities are asked to appoint an elected member as their Parks Champion, to report annually on the spend per resident in caring for parks and to commit to the provision of good accessible parks and a green space strategy.
- New partnerships – opportunities to diversify resourcing and establish long term viable partnerships require skills, commitment and resources. Consider opportunities to create innovative new partnerships to fund and manage parks and develop business management skills for staff.
- Getting communities more involved – expand the use of volunteers, with training and motivation to encourage their work; consider using existing national campaigns to support this work
- Collecting and sharing data – comparable data is essential to ensure consistency in park provision. HLF will support a pilot project to help the UK's top 20 cities to compare the quantity, condition and funding of their parks. Government, the Local Government Association and academic organisations are asked to facilitate the collection of comparable data for local authorities.
- New finance models and rethinking delivery – the future of parks will depend on developing new business models. A mix of public and private resource and expertise need to stimulate innovation, develop skills and share ideas.

## Considerations for the City of London's Open Spaces

10. The Committee may consider the five HLF challenges from two perspectives; firstly, as the authority responsible for the green spaces in the Square Mile and secondly, as the provider of strategic green space across London. A commentary on some of the issues raised in the report is provided at Appendix 2.
11. Challenge one - Local authority commitment. The Corporation provides the core funding for both City Gardens and the strategic green spaces across London, demonstrating a substantial on-going commitment. The regular satisfaction survey undertaken for City Gardens and reported to your Committee, demonstrates a high level of public satisfaction. We do not receive information from London Borough satisfaction surveys; where our strategic green spaces are located within or adjacent to a Borough, for example West Ham Park and Newham , Queens Park and Brent. Each site does undertake a varying range of user and non-user surveys, as well as participating in Green Flag and Heritage Green Flag judging.
12. The Open Spaces Act of 1878 and the various site specific statutes, afford protection, preventing open spaces use other than specific, defined activities, which addresses the HLF concerns but is not afforded to all public parks. The Committee at its last meeting on 2<sup>nd</sup> June, approved for public consultation, the City of London Open Spaces Strategy Supplementary Planning document. The HLF report calls for the appointment of Parks Champions and regular reporting of the spend per resident, used to care for parks. With Chairmen for each open space committee, Members views are sought on whether this provides a suitable level of Champion. The current budget for each Committee is a public document but we do not provide a link between spend and users. For City Gardens, this would need to demonstrate the use by City workers, as well as residents. The cost per resident would not be readily identifiable for the strategic spaces.
13. Challenge two – New Partnerships. The charitable trust model used by the Corporation to manage the strategic green spaces is considered an exemplar within the sector. However, relatively few similar examples exist e.g. Milton Keynes, because of the inability of local authorities to resource core property based, ring-fenced investment funding. Many Leisure Trusts rely on annual revenue grants from their local authorities, which are at risk as and when local authority budgets are reduced. For our strategic spaces, the statutory protection of the sites has limited the opportunity to develop some new partnerships. It is hoped that this can be addressed in the coming years. The challenges of delivering the savings required by the service based review, will provide the opportunity to review our current service delivery and should create the incentive to consider innovative new partnerships, as well as renewing and reinvigorating existing partnerships.
14. Challenge three – Getting Communities more involved. The HLF report recognises the importance of training and motivating volunteers and the value



of supporting them through skilled, experience staff. The City is able to exemplify the commitment it has to volunteering, a report on last year's achievements is included on the same agenda. City Gardens have supported the newly formed Friends of City Gardens, who are already achieving new sources of grant support; likewise the Friends of Kenley Common have been essential to achieving the HLF grant for Kenley Airfield. We support both existing and newly forming Friends groups and will need to decide how to support the National Federation of Parks and Green Spaces. In London, the London Parks and Green Spaces Forum (LPGSF), which has recently achieved independent charitable status, provides information, advice and training for Friends. The challenge for Open Spaces will be to ensure the support for volunteers and Friends groups remains an important priority following the outcomes of the service based review. The Love Parks Week, is included in events programmes; although not yet heavily promoted across the sector it is hoped in time can achieve the level of recognition of Green Flags.

15. Challenge four – Collecting and sharing data. The HLF demand for national recognition of the need for collection of consistent and comparable data is important. There will always be a challenge for us with both City Gardens and strategic green spaces, being different from other local authority provision; for example, within the City the use by City workers as well as residents and strategic green spaces, providing more nature conservation objectives than the norm. The HLF offer to develop a pilot project to help the UK's top 20 cities compare the quantity, condition and funding of city parks is welcome.
16. Challenge five - New Finance Models and rethinking delivery. As part of the service based review we will recognise the need to rethink some service delivery and the Committee will have the opportunity to consider this further later this year. We also expect to need to develop new skills amongst our staff, as part of this work. With our links to LPGSF, the Parks Alliance and contacts with other key service providers, we are in a strong position to share ideas and innovation. It could be suggested that the biggest challenge facing all local authorities with responsibility for parks is, how to develop self help and support from communities to a substantial degree and continue to deliver the core funding needed to ensure parks have a sustainable future.

### **Corporate & Strategic Implications**

17. The HLF report considers the future management of Parks. The City Together Strategy theme 'A World Class City which protects, promotes and enhances our environment, recognises the importance of Parks and green spaces. Likewise the Open Spaces Strategy aim is to 'Provide safe, secure and accessible Open Spaces and services for the benefit of London and the nation.

### **Implications**

18. **Financial, Legal and Property and HR**– there are no direct implications in considering and responding to this report. However, the department will be preparing budget proposals for the Committee's consideration as part of the service based review; this will provide an opportunity to address some of the issues e.g. new partnerships and innovation, mentioned in the report.

## **Conclusion**

19. The recently published Heritage Lottery Fund report 'The State of UK Public Parks 2014 – Renaissance to Risk?' provides an important insight into the current state of Parks in the UK. Although Parks have nationally improved since 2001, there are significant concerns about the next six years. This report has considered the issues that are particular relevant to the City of London; both in managing green spaces across London and in supporting the wider green space agenda across London; to ensure they will remain widely accessible and sustainable.

## **Appendices**

- Appendix 1 – Heritage Lottery Fund State of UK Public Parks 2014 Renaissance to risk?
- Appendix 2 – The State of UK Parks commentary.

## **Background Papers:**

Green Spaces: The Benefits for London by BOP Consulting, July 2013

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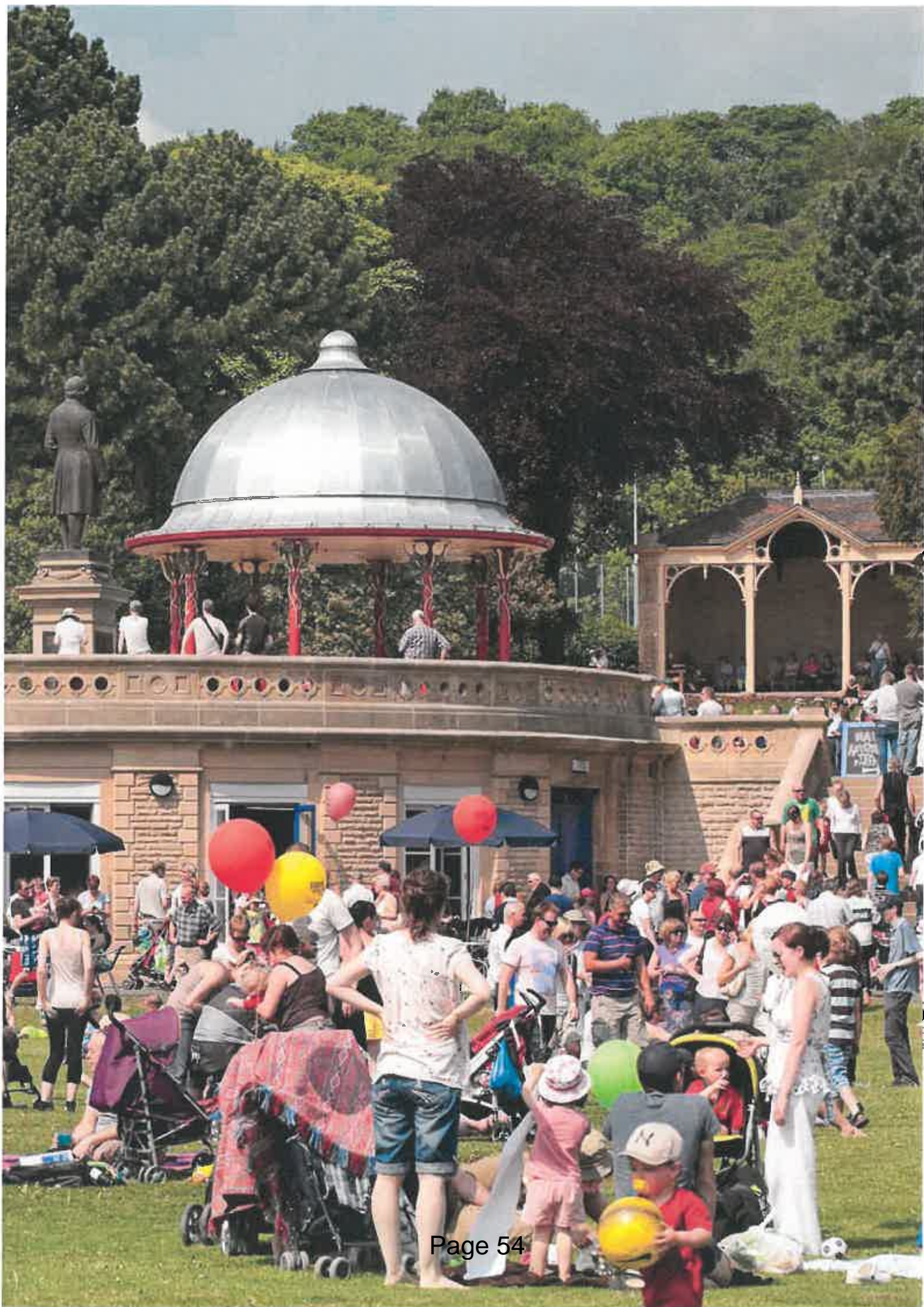




# State of UK Public Parks 2014

Renaissance  
to risk?









# Renaissance to risk?

As a result of the philanthropy and vision of our Victorian forebears, the UK is fortunate to have some of the world's greatest public parks, which 34 million of us visit regularly each year. Some of our earliest childhood memories are of visits to a local park to feed the ducks, enjoy the playground or picnic with friends. For our increasingly urban population the park is often the only green space where people can meet, play, relax and come close to nature.

But all is not well with the UK's public parks. Most are owned and maintained by local authorities, and increasing competition for council funding means that many face an uncertain future.

Parks have always been a priority for the Heritage Lottery Fund. We first started to invest in them in 1996 and have awarded over £620million across the UK, with the Big Lottery Fund joining us to invest a further £80million in England. Our funding has been matched with time and money from councils and community groups, collectively delivering a renaissance in the fortune of many parks. But our research shows that this investment, as well as thousands of parks and green spaces, may now be at risk.

This study, based on new research, establishes a benchmark on the current condition of the UK's public parks whilst also looking at how the quality and nature of parks might change in the future. It makes suggestions for action and better ways of working, including commitments from us here at the Heritage Lottery Fund.

We care passionately that everyone should have access to good-quality and exciting parks. We want this report to inspire all those who own, manage and use public parks to appreciate their importance and the critical role they have in modern life. Parks are vital community assets, essential to the local economy, to public health and wellbeing, to tourism, to social cohesion and to nature. We must keep them in good heart.

A handwritten signature in black ink, reading 'Jenny Abramsky'.

**Dame Jenny Abramsky**  
Chair of the Heritage Lottery Fund

# The state of parks at a glance

The UK invented the municipal park movement, an enduring legacy of the industrial revolution that has been admired and imitated across the world. Every park has its own story, from Birkenhead Park in the Wirral, which opened in 1847 and provided the model for New York's Central Park, to the Queen Elizabeth Olympic Park, created for the London 2012 Games.

We greatly value our public parks but as a national resource they are not represented by any national body, nor is there any statutory requirement governing their upkeep.

Since 1996, the Heritage Lottery Fund (HLF) has led a parks renaissance through its investment, and has developed knowledge and expertise through the projects that have been funded. This research report is in part prompted by the need to protect and sustain this investment in over 700 individual public parks. In addition, we are also keen to support everyone who uses and manages parks right across the UK, to ensure that every community has access to and can enjoy a good-quality local public park.

## Our research

To establish a national picture of the state of UK parks we commissioned three new UK-wide surveys: a survey of local authority park managers, a survey of park friends and user groups, and a public opinion survey undertaken by Ipsos MORI. We have also drawn on other pre-existing data to assess how the condition of parks has changed over time, and to cross-check our results. Here we present the key findings. A fuller research report is available on [www.hlf.org.uk/StateOfUKParks](http://www.hlf.org.uk/StateOfUKParks)

## Why we need to act now

After two decades of investment and improvement, the UK's parks are in a good state. However, they are at serious risk of slipping back into decline, as they did in the 1970s and 1980s. Without adequate maintenance, parks become underused, neglected and vandalised. Their immense social and environmental value is quickly eroded and they become a costly liability for those who manage them.

Our research shows that maintenance budgets are being reduced, capital will be less available for improvements, park facilities are becoming more expensive to use, management and maintenance skills are being lost, and some parks and green spaces may be sold or transferred to others to maintain.

However we know that people care passionately about their parks. We know that good parks are vital for our health and wellbeing, they support economic growth and tourism, and they play a significant part in addressing climate change in our cities.

At the end of this report you will find five key areas for action. For each we set out how HLF is intending to respond but we also call on others to work collaboratively to address this emerging risk. Our calls to action include:

- renewed local authority commitment;
- establishing new partnerships;
- getting communities more involved;
- collecting and sharing data; and
- developing new finance models and rethinking delivery.

Together we can avert this return to the past, but it will require the concerted effort of all those who use, own, manage, work in or have an interest in parks. We must also develop new ways of working, raise awareness of the hugely important role parks have, and continue to invest in their future.



**2.6bn**

estimated visits are made to the UK's parks each year

**£30m**

estimated to be raised each year by park friends and user groups

**83%**

of households with children aged five and under visit their local park at least once a month

**70%**

of park managers have recorded increased visitor numbers to their principal parks over the last year

**Parks are valued and in good heart...**

**47%**

of park friends and user groups say membership numbers have increased over the last three years

## Key findings

We predict that the quality and condition of many parks will dramatically decline if action is not taken now to address this emerging risk.

**86%**

of park managers report cuts to revenue budgets since 2010 and they expect the trend to continue for the next three years

**...but the future may not be so bright**

**71%**

of households with children under 10 are concerned that reductions in council budgets could have a negative impact on the condition of their local park

**81%**

of council parks departments have lost skilled management staff since 2010, and 77% have lost front-line staff.

**45%**

of local authorities are considering either selling parks and green spaces or transferring their management to others



Park managers report higher visitor satisfaction, but many people are concerned budget cuts could have a negative impact on their local park.



# What we found

## About this report

We commissioned three new surveys for this report:

- a survey of local authority park managers;
- a survey of park friends and user groups; and
- a public opinion survey from Ipsos MORI

CFP Consultants undertook an online survey of park managers. This targeted all local authorities in Great Britain and Northern Ireland alongside trusts which manage green space. The survey ran from 29 August to 8 October 2013.

A total of 178 local authorities completed the survey, representing 41% of UK local authorities, along with six responses from other organisations. These authorities collectively manage parks and green spaces for more than 31 million people, almost half the UK population.

CFP also undertook an online survey of park friends and user groups, to which 436 groups responded, representing a membership of 27,802 people. The survey was conducted between

29 August and 27 September 2013. It was prompted by CFP regional forums, the National Federation of Parks and Green Spaces, and Greenspace Scotland.

Ipsos MORI surveyed a representative sample of 1,037 adults aged 15 and over living in the UK. The survey ran between 11 and 17 October 2013. Interviews were conducted face-to-face in-home using the Ipsos MORI Capibus. Data has been weighted to the known population profile for the UK.

## The changing condition of parks

**Our surveys show that the condition of parks across the UK has improved significantly since 2001. However this picture is about to change.**

We found that 59% of park managers, as well as 50% of friends groups and the park-going public, considered their parks to be in good condition. In 2001 only 18% of park managers considered their parks to be in good condition. The improvement in parks is reflected in the number of Green Flag Awards (the voluntary, nationally recognised quality accreditation scheme for parks and green spaces). In 2001 Green Flags were awarded to only 81 parks in England. By 2010 this had risen to 905, and by 2013 there were 1,116 awards.

We also recorded increases in visitor satisfaction and numbers. 50% of managers said that visitor satisfaction had increased over the last three years, and 47% reported that visitor numbers had risen over the last year. For principal parks (the main parks a council manages) 70% of park managers said that visitor numbers had risen over the last year.

Turning to the condition of parks over the coming three years, we found that only 21% of managers and 32% of friends groups

anticipate that their parks will still be improving, while 37% of managers and 34% of friends groups anticipate that their parks will be declining.

Evidence suggests that the renaissance of our public parks that has been underway for the past 15 years is fast coming to an end. Our Ipsos MORI survey found that 63% of the park-going public are either 'fairly concerned' or 'very concerned' that reduced council budgets could have a negative impact on the condition of their local park. This level of concern increases to 74% for those who also say that their local park is currently in poor condition. And 71% of households with children under 10 are concerned that reductions in council budgets could have a negative impact on the condition of their local park.

***"Parks and open spaces have been an easy hit for council savings. The provision and maintenance of open space is not a statutory requirement."***

**Park manager**



## Pressure on budgets

**The Audit Commission<sup>1</sup> reports that Government funding to local authorities reduced by an average of almost 20% in real terms between 2010-11 and 2013-14. Some of the poorest councils in the most deprived areas of England have experienced cumulative cuts that will average 25% by 2016<sup>2</sup>. Council budgets are expected to continue falling for the rest of the decade.**

As parks are a non-statutory service, their budgets are highly vulnerable. We found that:

- most parks budgets have been cut since 2010, many above the 20% average reported by the Audit Commission;
- 86% of park managers report that revenue budgets for day-to-day maintenance have been cut;
- over half of park managers report that capital budgets for investing in fabric and facilities, such as play areas, toilets and paths, have been cut.

This situation is likely to worsen. The Local Government Association<sup>3</sup> warns that, for England, funding for services other than social care and waste disposal will drop by 46% by 2020. Our survey shows that over the next three years:

- 87% of park managers expect further cuts to revenue budgets;
- 63% of managers also face further cuts to capital budgets.

***“Floral features removed, no budget for infrastructure maintenance. We have substantially increased park charges to compensate.”***

Park manager

This decline in spending is potentially greater and more rapid than that faced by public parks in the 1970s and 1980s, a time of chronic decline in the state of the UK's parks.

To give an example of the scale of cuts, Liverpool City Council's parks department budget of £10million will be cut by 50% over the next three years<sup>4</sup>.

Unlike some cuts to services, such as closing a leisure centre or library, reductions in park maintenance may go unnoticed before a tipping point is reached. The reduction of management tasks such as grass cutting, weeding beds or repairing seats may initially result in few complaints, but eventually the build-up of neglect may lead to the abandonment of the park by the public. A spiral of decline quickly follows.

Those working in parks voice concern that by 2020 some local authority park services will no longer be viable. A report by the Joseph Rowntree Foundation<sup>5</sup> suggests that local government may cease to provide some services altogether, transferring responsibilities to other agencies, sectors and partnerships.

## The cost to park users

**Over the last three years most local authorities have increased charges for facilities in parks.**

- 83% of managers reported increasing fees for facilities such as sports pitches, car parks, allotments and the hire of grounds or buildings for private events;
- 85% of managers intend to increase fees in the next three years.

While revenue generation needs to be part of the mixed economy that will support parks in future, charges need to be balanced against provision of accessible services to as wide a range of people as possible. The cost of hiring sports facilities is increasing at a time when there is urgent need to promote active lifestyles to tackle obesity and poor health.

## Sale of parks and green spaces

**A significant number of authorities are considering selling or transferring management of their parks and green spaces over the next three years.**

- 45% of local authorities are considering disposing of some green spaces;
- 19% of local authorities specifically mentioned disposing of parks as opposed to other green spaces.



Buildings in parks are at risk of being sold, and parks decline where there is a lack of investment.

***“Our park ranger service took a 50% cut – the rangers have gone from a team of 32 to 10 in the last three years.”***

**Park manager**

## Loss of staff and skills

**The staffing of parks has fallen in line with the decline in funding over the last three years.**

- 77% of councils have reduced frontline parks staff; and
- 81% of councils have cut park management staff.

The loss of park management staff means that local authorities will be much less able to support the work of community groups, promote innovation or assist the process of transferring or sharing management with local organisations and partners.

Evidence from Lottery-funded projects shows that volunteering plays a critical part in creating vibrant community parks. If, however, groups are not developed, trained and motivated by skilled staff, volunteer numbers quickly dwindle.

## Regional inequalities

**Our survey of park managers highlights that there are differences in the condition and funding of parks across the UK.**

- The largest proportion of good parks is in London and the East Midlands.
- The largest proportion of parks reported to have improved over the last three years is in London and the East of England.
- The largest proportion of parks declining is in Scotland, Wales and the North West of England.

In terms of funding and staffing, park managers in the North West of England are reporting the highest proportion of cuts to revenue over the last three years and are also expecting the highest cuts to both revenue and capital over the next three years. They also reported the highest loss of frontline and management staff over the last three years.

The North East and Yorkshire and the Humber expect high levels of budget cuts and staff loss over the next three years, but the limited number of survey returns from these particular regions precludes firm conclusions.

Our research suggests a proportionately higher level of budget cuts and staff losses in the north of England. Furthermore, the urban metropolitan and unitary authorities, where the use of parks is greatest, received a higher proportion of cuts and staff losses in the last three years. This trend is expected to continue.

## The power of communities

**Community groups have an increasing role in championing and supporting local parks. In the last three years:**

- managers have seen an increase of over 30% in the number of friends and user groups, and over half of managers expect this to continue;
- 47% of groups have seen an increase in membership.

There are an estimated 5,000 friends groups or park user groups across the UK. Each group raises on average £6,900 per year, representing over £30million raised for parks annually.

## Impact on quality of life

**Those who use parks value them highly. Some 68% of park users consider spending time in their local park important or essential to their quality of life. This rises to 71% for park users in urban areas, and over 81% for households with children under 10.**

The highest percentage of park users are those households with children. 83% of households with children aged five and under visit their local park at least once a month. In the UK it is astonishing that almost 600 million visits are estimated to be made by households with children under the age of 16 each year. In total 2.6 billion visits are estimated to be made to the UK's parks each year.





Parks provide a range of volunteering opportunities, and make a real difference to family life.

Skilled staff are needed to maintain horticulture in historic parks.



Local urban parks are often the only green spaces where people can meet, play and relax.





# Why parks matter

## Central to family life

Some of our earliest childhood memories include visits to local parks. Socially, parks offer opportunities to rest and meet friends, for children and young people to play, to hold events, to pass through on the way to work, to exercise and take time out from the pressures of everyday life.

Other reports also acknowledge the importance of parks to children. *Making Britain Great for Children and Families*<sup>6</sup> – a manifesto launched by 4Children, the national charity working towards a more integrated approach to children's services – includes better provision of parks in its list of ways to create good places for children to grow up in.

## Supporting health and happiness

Parks have a positive effect on people's wellbeing and the health of their neighbourhoods. Evidence from the University of Exeter's European Centre for Environment and Human Health, published by the Association for Psychological Science<sup>7</sup>, reveals that people who live in greener urban areas report greater wellbeing and lower levels of mental stress than city dwellers without nearby parks and gardens.

An increase in visitor numbers, particularly in urban parks, was recorded by Natural England in their annual Monitor of Engagement with the Natural Environment (MENE) surveys<sup>8</sup>. In 2012-13 there were fewer visits to the countryside and a significant increase in visits to green spaces in towns and cities. This points to the growing importance of parks as the only place some people encounter nature.

The *State of the Nation's Waistline* report<sup>9</sup>, published by the National Obesity Forum, states that over 25% of adults in England are considered obese. By 2050 the figure is expected to rise to 50%. Parks provide vital health resources that help to support healthy populations. Their value to public health is emphasised in *Public Health and Landscape*, a recent position statement by the Landscape Institute<sup>10</sup>, which demonstrates parks are a key ingredient in creating healthy places.



***"Parks are particularly important as for many people they provide their back garden."***

**HLF Parks for People programme evaluation<sup>11</sup>**



Parks are great biodiversity hotspots and a place where children can learn about nature.

They also provide opportunities for local businesses such as cafés, and help to support local economies.





## Improving social cohesion

Recent research highlights that “there is good evidence suggesting that the natural environment contributes to social cohesion. This appears to be particularly the case for well-maintained green spaces”<sup>12</sup>. An example from Chicago suggests that parks can actively promote “inter-community relations in a way which is almost unique in urban life”<sup>13</sup>. A Joseph Rowntree report<sup>14</sup> notes that, as communities across the UK become increasingly mixed and diverse, local social amenities will become more and more important. Public parks offer one of the most important social spaces in a neighbourhood, but, as interviews in the research highlight, their condition is a key issue, as poor-quality parks can have a detrimental effect on cohesion.

## Promoting local economic development

Public parks have been used throughout history to promote investment and growth. Developers frequently use the proximity of parks to attract investors. A study on improving the competitiveness of England’s core cities<sup>15</sup> notes that “soft location factors are an increasingly important part of economic decision-making”. Good-quality parks and public spaces contribute to these factors, which help to attract and retain skilled workers and their families.

Forward-looking cities with a good environment and easy access to natural amenities are working at preserving and improving them. They know that for skilled employees “the quality of life for themselves and their families is an increasingly important factor”<sup>16</sup> of location. Recent research from Natural England<sup>17</sup> draws together a growing evidence base on ways the natural environment, including parks, can enhance the economic competitiveness of a particular region and increase employee productivity.

Good parks also boost the tourist economy. Visit Britain<sup>18</sup> has found that, of the 31 million tourists visiting Britain, over a third enjoy visiting a park or garden, making it one of the most popular activities (ranking above visiting a museum, castle, historic house or art gallery). Cissold Park, a local neighbourhood park in the London Borough of Hackney, receives the same number of annual visitors as London’s National Portrait Gallery, and more than St Paul’s Cathedral (2.1 million, 2.1 million and 1.8 million visitors respectively).

Investing in parks is a recognised way of helping to regenerate and re-vitalise an area. There are economic indicators to show this works, and strong evidence of the impact of parks in protecting and enhancing land and property values. The presence of a well-maintained park has been shown through research by CABI Space<sup>19</sup> to add on average a 5% to 7% premium on house prices. Equally, a declining park has the opposite effect.

***“Open space provides habitats and green corridors for safe species movement. (It) should be valued for its potential to mitigate climate change.”***

**Park manager**

## Delivering environmental services

Parks are a key component of the ‘green infrastructure’ of towns and cities, complementing the heavily engineered and costly ‘grey infrastructure’ of roads, utilities and sewerage systems. Properly planned, attractive green networks of parks, green spaces and river corridors provide natural systems and ecological services that collect and clean water, improve air quality and reduce peak summer temperatures. There is increasing interest in parks’ ability to improve the resilience of neighbourhoods to the impacts of climate change.

Parks also provide biodiversity hotspots. The qualities of an ecologically rich functional landscape were built into London’s Olympic Park at the outset. As the UK’s newest large public park, it not only provided an attractive and dramatic setting for the London 2012 Games but also continues to reduce flood risk, store surface water, and accommodate a rich diversity of plant and animal species.

# A call to action

Our research provides an early warning of the potential risk facing the UK's parks. It is a risk that can be averted if action is taken in time.

Here we set out five key challenges for the future. For each we state how HLF intends to respond, together with calls on Government, local authorities, business, the voluntary sector, academic institutions and the public to take urgent action.

1

## Local authority commitment

Local authorities' ongoing and renewed commitment to fund, staff and manage parks is essential. There is a strong link between people's satisfaction with their local parks and their satisfaction with their neighbourhood and council. Parks are one of the most heavily used public services, particularly by families, and are therefore a priority for voters.

2

## New partnerships

The transfer of park management from local authorities to other organisations is expected to almost double by 2016. Whilst this can help diversify funding and resourcing, establishing long-term, financially viable, locally based partnerships requires commitment and resources. Budget cuts and the loss of skilled senior managers are hindering and adding risk to this process.

3

## Getting communities more involved

Park user groups contribute valuable volunteer time and funding to local parks. There are more than 5,000 such groups in the UK estimated to provide almost a million volunteer days and generating over £30million per year through fundraising. However, they need more support to expand this work. When groups are trained and motivated, they are better able to support park management, and their efforts will be sustained.

4

## Collecting and sharing data

To ensure consistency in the provision of good parks across the UK it is essential to collect and compare data between individual cities and local authorities, as in the USA. Regular collection of comparable data between core cities, for example, would highlight poor provision and allow local authorities to benchmark standards and resources.

5

## New finance models and rethinking delivery

The future of many parks depends on developing new business and finance models. Time, resources and skills are needed to develop new ideas, test and deliver them. Public and private resources and expertise need to be pooled to stimulate innovation, develop skills and share ideas.



## Action

HLF will actively monitor and champion parks projects we have funded to ensure standards are maintained, and will evaluate projects to demonstrate the value of investing in public parks.

HLF will invest up to £24million per annum in public parks and cemeteries until the end of our current strategic framework period in 2018, with the Big Lottery Fund investing an additional £10million per annum in England until the end of 2015.

We call on all local authorities to appoint an elected member to be their parks champion, to report annually how much they spend per resident in caring for their parks, and to commit to the provision of good, accessible parks by adopting an up-to-date parks, green space or green infrastructure strategy.

## Action

HLF will use our Parks for People, Start-Up Grants and Rethinking Parks programmes (see 5 below) to support a greater diversity of organisations in managing public parks.

We call on the public, private and voluntary sectors to create innovative new partnerships to fund and manage parks, and provide opportunities for park managers to develop new business skills. Good practice examples are needed to avoid duplicating effort and negotiating poor deals for the public.

We call on Government and local authorities to provide the support, resources and skills development needed by park friends and user groups who are considering entering into new partnerships to jointly manage parks.

## Action

HLF will support people to take a more active role in the parks projects we fund through investing in training, resources and activities to encourage and promote volunteering.

We invite the public and business to support Groundworks, X Marks The Spot campaign and Keep Britain Tidy's Love Parks Week to get more people actively involved through volunteering and fundraising, and making the case for parks in modern life.

We recommend that those using, managing and championing parks actively support the National Federation of Parks and Green Spaces, a national forum for park friends and user groups, to help them provide a central hub of information and advice for park groups.

## Action

HLF will encourage the development of a pilot project to help the UK's top 20 cities compare the quantity, condition and funding of their city parks.

HLF will commission and publish a second *State of UK Public Parks* study in 2016 to monitor changes in the condition, quality and resourcing of the UK's public parks.

We call on Government, the Local Government Association, the Convention of Scottish Local Authorities, the Northern Ireland Local Government Association and academic organisations to encourage and facilitate the central collection of consistent and comparable data on parks across all local authorities.

## Action

HLF, the Big Lottery Fund and Nesta will invest up to £1million through our Rethinking Parks programme to encourage innovation. The funding will support projects to develop creative new approaches to financing and managing parks.

We call on Government to focus their support for innovation and community rights on the delivery and funding of good quality public parks and green spaces.

We encourage innovators considering new ideas and solutions to evaluate and share their ideas so others can learn from their experiences.

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Association of Public Service Excellence

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Greenspace Wales

Groundwork UK

Keep Britain Tidy and the Green Flag Award Scheme

London Parks Benchmarking Group

London Parks and Green Spaces Forum

National Federation of Parks and Green Spaces

Natural England

Newcastle Parks Forum

West Midlands Parks Forum

## Heritage Lottery Fund

Using money raised through the National Lottery, HLF sustains and transforms a wide range of heritage for present and future generations to take part in, learn from and enjoy. From museums, parks and historic places to archaeology, natural environment and cultural traditions, we invest in every part of our diverse heritage. HLF was set up in 1994 and is the only heritage body that operates across the whole of the UK. It is administered by the trustees of the National Heritage Memorial Fund.

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HLF documents provide a valuable history of the nation's heritage and research projects  
[www.hlf.org.uk/StateOfUKParks](http://www.hlf.org.uk/StateOfUKParks)

## Production

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Topic	Remarks
Changing condition of parks	The HLF report provides evidence to support concerns being expressed within the sector.
Budget pressures	Both City Gardens and Open Spaces have been subject to financial pressures over the last five years; in line with other City of London services. However, during the last 15-20 years unlike local authorities, these spaces had not had to cope with sustained budget reductions. Currently, as part of the service based review, we will be considering proposals for some 15% reduction over the next four years. This is a significant challenge for all services, doing more with less and finding different ways to provide services.
Charges for services	Historically, local authority sport provision has been subsidised; including football, cricket, tennis, bowls and swimming. Any changes to charging policy have to take account of other local providers, as well as meeting the challenge of ensuring facilities are accessible. There are inconsistencies in our approach, for example, on car parking, where increased charges are warranted.
Staff and skills	We have evidence of the impact of reduced local authority management, having recently struggled to achieve strong short-lists for several middle management posts. Many of the potential middle managers have either moved into the consultancy field or left the sector. With changing requirements, new skills need to be developed. To provide appropriate support and development for volunteers, it is important to use the knowledge, skill, enthusiasm and experience of staff. We are developing volunteers who can supervise and/ or lead teams but the need for experience remains a key factor

	in ensuring volunteering is sustainable.
Community groups	Our City gardens and Open Spaces are supported by a wide ranging network of support from local communities; including Consultative Committees, user groups, volunteers and Friends. We can demonstrate that these are growing, for example the new Friends of City Gardens and Kenley Common.
Quality of Life	The City of London report published in July 2013 "Green Spaces: The Benefits for London" recognised the environmental, physical, mental health, social and economic benefits of green space in London.