



Open Spaces, City Gardens & West Ham Park Committee

Date: MONDAY, 8 OCTOBER 2012
Time: 11.30 am
Venue: COMMITTEE ROOM - 2ND FLOOR WEST WING, GUILDHALL
Members: Alderman Robert Hall (Chairman)
Dr Peter Hardwick (Deputy Chairman)
Deputy Stella Currie
Alex Deane
Alderman Ian Luder
Sheriff & Deputy Wendy Mead
Deputy Janet Owen
Deputy Michael Welbank
Alderman Gordon Haines (Ex-Officio Member)
Barbara Newman (Ex-Officio Member)
Jeremy Simons (Ex-Officio Member)

For Consideration of business relating to West Ham Park Only:

	Catherine Bickmore	- Elected by the heirs-at-law of the late John Gurney
	Robert Cazenove	- Elected by the heirs-at-law of the late John Gurney
	Richard Gurney	- Elected by the heirs-at-law of the late John Gurney
	Justin Meath-Baker	- Elected by the heirs-at-law of the late John Gurney
	The Rev. Stennett Kirby	- Nominated by the Benefice of West Ham Park
	Councillor Joy Laguda	- Nominated by the London Borough of Newham
	Charlotte Evans	- Nominated by the London Borough of Newham
Observers:	Verderer Peter Adams	- Observer Nominated by the Epping Forest & Commons Committee
	Tony Ghilchik	- Observer Nominated by the Hampstead Heath, Highgate Woods, and Queen's Park Committee
Enquiries:	Edward Foale tel. no.: 020 7332 1426 edward.foale@cityoflondon.gov.uk	

Lunch will be served in the Guildhall Club at 1pm

John Barradell
Town Clerk and Chief Executive

AGENDA

Part 1 - Public Agenda

1. **APOLOGIES**
2. **DECLARATIONS BY MEMBERS OF ANY PERSONAL AND PREJUDICIAL INTERESTS IN RESPECT OF ITEMS ON THIS AGENDA**
3. **MINUTES**
To agree the public minutes and summary of the meeting held on 23 July 2012 (copy attached).

For Decision
(Pages 1 - 10)
4. **DECISION TAKEN UNDER DELEGATED AUTHORITY PROCEDURES**
Report of the Town Clerk (copy attached)

For Information
(Pages 11 - 14)

Part A - West Ham Park

5. **SUPERINTENDENT'S UPDATE**
The Superintendent of City Gardens & West Ham Park to be heard relative to West Ham Park matters.

For Information
6. **WEST HAM PARK TRUSTEE'S ANNUAL REPORT AND FINANCIAL STATEMENTS FOR THE YEAR ENDED 31 MARCH 2012**
Report of the Chamberlain (copy attached).

For Information
(Pages 15 - 40)
7. **RISK MANAGEMENT - WEST HAM PARK LOCAL RISK REGISTER**
Report of the Director of open Spaces (copy attached).

For Information
(Pages 41 - 54)

Part B - Open Spaces

8. **NATIONAL PLANNING POLICY FRAMEWORK AND NEIGHBOURHOOD PLANNING - IMPLICATIONS FOR THE CITY OF LONDON'S OPEN SPACES**
Report of the Director of Open Spaces (copy attached).

For Decision
(Pages 55 - 66)

Part C - City Gardens

9. SUPERINTENDENT'S UPDATE

The Superintendent of City Gardens & West Ham Park to be heard relative to City Gardens matters.

For Information

10. ROBERT HOOKE BELL

Report of the Town Clerk (copy attached).

For Information
(Pages 67 - 72)

11. LITTER MANAGEMENT IN THE CITY'S OPEN SPACES

Report of the Director of Open Spaces (copy attached).

For Decision
(Pages 73 - 80)

12. QUEEN ELIZABETH II FIELDS

Report of the Director of Open Spaces (copy attached).

For Decision
(Pages 81 - 86)

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

14. URGENT ITEMS

Part 2 - Non-Public Agenda

15. EXCLUSION OF THE PUBLIC

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

<u>Item No.</u>	<u>Paragraphs in Schedule 12A</u>
16	3
17-18	-

16. NON-PUBLIC MINUTES

To agree the non-public minutes of the meeting held on 23 July 2012 (copy attached).

For Decision
(Pages 87 - 88)

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

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

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OPEN SPACES, CITY GARDENS & WEST HAM PARK COMMITTEE
Monday, 23 July 2012

Minutes of the meeting of the Open Spaces, City Gardens & West Ham Park Committee held at Committee Room - 2nd Floor West Wing, Guildhall on Monday, 23 July 2012 at 1.45 pm

Present

Members:

Alderman Robert Hall (Chairman)
 Dr Peter Hardwick (Deputy Chairman)
 Deputy Stella Currie
 Alex Deane
 Sheriff & Deputy Wendy Mead
 Deputy Janet Owen
 Deputy Michael Welbank
 Catherine Bickmore
 Robert Cazenove
 Justin Meath-Baker
 Charlotte Evans
 Barbara Newman (Ex-Officio Member)
 Jeremy Simons (Ex-Officio Member)

Officers:

Edward Foale	- Committee & Member Services Officer
Esther Sumner	- Policy Officer, Town Clerk's Department
Mathew Lawrence	- Town Clerk's Department
Alison Elam	- Group Accountant, Chamberlain's Department
Edward Wood	- Comptroller and City Solicitor's Department
Janet Fortune	- Head of Recruitment and Learning & Development
Sue Ireland	- Director of Open Spaces
Denis Whelton	- Support Services Manager
Martin Rodman	- Superintendent, West Ham Park and City Gardens
Andy Barnard	- Superintendent, Burnham Beeches & Stoke Common
Geraldine King	- West Ham Park Manager
Declan Gallagher	- Operational Service Manager

1. APOLOGIES

Apologies were received from Alderman Ian Luder, Sheriff & Deputy Wendy Mead, Alderman Gordon Haines, Richard Gurney, the Reverend Stennett Kirby and Councillor Joy Laguda.

2. **DECLARATIONS BY MEMBERS OF ANY PERSONAL AND PREJUDICIAL INTERESTS IN RESPECT OF ITEMS ON THIS AGENDA**

There were no declarations.

3. **MINUTES**

The public minutes and summary of the meeting held on 11 June 2012 were approved.

MATTERS ARISING

Item 6 – Superintendent's Update

The Chairman noted that the Past Times in the Park event on 23 June 2012 had been a great success and that it was wonderful to have had the opportunity to meet the full Gurney family at its picnic, which celebrated the 200th anniversary of the birth of John Gurney.

Item 8 – Annual Review of Volunteer Working on the Open Spaces

The Chairman advised that the report had been received by the Court of Common Council on 19 July 2012. The Chairman undertook to write a letter to all those who volunteered on the City's Open Spaces on behalf of the Court of Common Council.

4. **REVIEW OF THE GOVERNANCE ARRANGEMENTS IMPLEMENTED IN 2011**

The Committee received a report of the Town Clerk, prepared on behalf of the Governance Review Working Party, which sought comments from the Committee on the governance arrangements introduced in 2011 and the impact that they may have had on the operation of the Committee.

A document was tabled which summarised the Chairman's suggestion that the Committee consider the creation of a separate Committee for the consideration of West Ham Park business. The Chairman reminded the Committee that those Members who were present for business relating to West Ham Park only were eligible to stand as Chairman and/or deputy Chairman. This presented a dilemma as to the format of the discussion of Open Spaces and City Gardens matters, were one of these Members elected for the role.

A Member suggested that the Committee return to the arrangement that predated the implementation of the 2010/11 Governance Review. Discussion ensued and Members agreed that in principle the current arrangement had not been satisfactory.

A Member who had been nominated by the heirs-at-law of the late John Gurney advised that they appreciated the proposal, however as it had been tabled they had received insufficient time to consider the matter. The Chairman undertook personally to write to the Committee to clarify his proposed response to the Governance Review. Discussion ensued and the Committee agreed to delegate to the Town Clerk in consultation with the Chairman and Deputy Chairman the task of drafting a document to be submitted to the Governance Review Working Party for Consideration.

The Town Clerk reminded Members of the convention that one observer nominated by the Epping Forest & Commons Committee and one observer nominated by the Hampstead Heath, Highgate Wood & Queen's Park Committee would sit on the Committee, however this had never been reflected in the Committee's terms of reference. Discussion ensued and Members decided to refer this matter to the Governance Review Working Party. The Director reminded Members that the Open Spaces Committee, which existed prior to the Governance Review, had a third observer from the Committee of Managers of West Ham Park. If the option of creating a separate Committee for discussion of West Ham Park business were pursued it would be necessary for the new Committee to nominate an observer to sit on the Open Spaces, City Gardens & West Ham Park Committee.

A Member advised that they believed the Cemetery should be under the management of the Committee, rather than the Port Health & Environmental Services Committee. The Director advised that it made practical sense in management terms to have both the cemetery and the crematorium under the management of one Committee. Discussion ensued and Members agreed to reconsider the matter in twelve months' time.

RESOLVED: that,

- i) the Committee submit the discussion captured above for consideration by the Governance Review Working Party.
- ii) the Committee delegate to the Town Clerk, in consultation with the Chairman and Deputy Chairman, the task of drafting a further document containing recommendations regarding future governance arrangements for the Committee, and the management of the assets currently within its portfolio, to be submitted to the Governance Review Working Party for consideration.
- iii) Members revisit the discussion surrounding the future management of the City of London cemetery and crematorium in twelve months time.

5. **CHIEF OFFICER APPOINTMENT**

The Committee received a report of the Town Clerk. Members noted that the Terms of Reference of the Port Health & Environmental Services Committee approved by the Court did not reflect the dissolution of the Department of Environmental Services, nor the wish to involve the Chairman of the Port Health and Environmental Services Committee in the appointment of the post of Director of Markets and Consumer Protection and the Director of Open Spaces. The report set out how to resolve this satisfactorily.

Following a suggestion from the Chairman, Members agreed that the report should be for decision rather than for information. The Head of Recruitment and Learning & Development clarified that the proposal allowed for the Port Health & Environmental Services Committee to have only its Chairman on the Appointment Panel for the Director of Open Spaces, whereas the Open Spaces, City Gardens & West Ham Park Committee would continue to have three representatives on the Panel.

The Chairman therefore put the matter to a vote, the results of which were as follows:

Those in favour of the motion below – **four votes**

Those against the motion below – **two votes**

Those abstained – **one vote**

The motion was therefore carried.

RESOLVED: That the Corporate HR unit note the report and make the necessary preparations to give Port Health and Environmental Services Committee appropriate representation in the future appointments of the Director of Open Spaces.

6. **CONSOLIDATED REVENUE OUTTURN 2011/12**

The Committee received a joint report of the Chamberlain and the Director of Open Spaces. The report compared the revenue outturn for the services overseen by the Committee in 2011/12 with the final agreed budget for the year. In total, there was a better than budget position of £1,873,000 for the services overseen by the Committee compared with the final agreed budget for the year as set out in the report. Members accepted that the City Surveyor's underspend of £1,242,000 related mainly to the Additional Works Programme which would be rolled over to 21012/13.

RECEIVED

7. **REVENUE OUTTURN 2011/12- OPEN SPACES, CITY GARDENS, AND WEST HAM PARK**

The Committee received a joint report of the Chamberlain and the Director of Open Spaces. The report compared the revenue outturn for the services overseen by the Committee in 2011/12 with the final agreed budget for the year. Members noted that there was a better than budget position of £194,000 for the services overseen by the Committee compared with the final agreed budget.

RECEIVED

Part A - West Ham Park

8. **SUPERINTENDENT'S UPDATE**

The Committee received a verbal update from the Superintendent of West Ham Park & City Gardens relative to West Ham Park matters. The following points were made:

- Between one hundred and one hundred and fifty Tamil protestors had arrived in West Ham Park on the evening of 22 July 2012, and subsequently moved on to Romford Road. Following a Metropolitan police request for assistance in advance of the event, West Ham Park staff had helped to keep the event under control. The protest was peaceful and well managed.
- Spending was currently within budget.

- The inclement weather meant 2012 had been unusual so far for staff. The Park remained very quiet during long rainy spells but visitors used the Park more than usual during the brief spells of sunshine. It was hoped that the anticipated warmer weather would enable the daily management of the Park to settle into a routine cycle.
- Newham's Festival of Sport was providing free coaching in eight sporting disciplines, which gave 8 – 16 year olds an opportunity to sample athletics, basketball and volleyball. The festival had started on 16 July and would finish on 31 August. It would form the focus of the Park's Green to Gold day on 3 August 2012.
- The number of Metropolitan Police Service "uncalled visits" had dropped over the previous year; however, the Service remained on call for emergencies. Members noted that the West Ham Park Manager sat on the Wards Policing Panel. This formed part of a co-ordinated approach by police to tackle the local gangs. The Park manager sat on the ward Police panel where it was noted that several other parks in the area had much higher crime rates than the Park, therefore resources were redistributed to target those areas. Several individuals aged between approximately fourteen-sixteen years had recently committed anti-social acts and vandalism within the Park. They had been arrested outside the Park.
- The nursery continued to hold sizeable stocks of Olympic bedding in case they were needed for replacement following damage to City planting, which was expected following the torch relay and the marathons. However, some had already been used following the death of an entire bed in a key location due to waterlogging.

Members recorded their thanks to those staff members involved with ensuring the protest on 22 July 2012 was able to take place without incident.

RECEIVED

9. FRIENDS OF WEST HAM PARK - ANNUAL UPDATE

The Committee received a report of the Director of Open Spaces. In July 2006, following public consultation on the West Ham Park Management Plan, the Friends of West Ham Park group was formed. The report set out the projects that the Friends of West Ham Park had successfully achieved throughout 2011/12.

Members noted and commended the important contribution made by the Friends of West Ham Park.

RECEIVED

10. WEST HAM PARK MANAGEMENT PROGRESS REPORT

The Committee received a report of the Director of Open Spaces presenting Members with data and statistics relating to the use and management of West Ham Park during the 2011/12 financial year.

A typographical error was amended as follows:

“2. Park visitor numbers April 2011 – March 2012”

Members recorded their appreciation of the hard work and commitment of the staff and volunteers at West Ham Park.

RECEIVED

Part B - Open Spaces

11. ANNUAL REPORT

The Support Services Manager advised that, based on Members' comments in 2011, the Annual Report had been amended in the following ways:

- There had been a substantial change in cover design and overall layout.
- The report was now in landscape rather than portrait format.
- There were more photographs.
- A volunteering section had been added.
- Items relating to the City of London Cemetery had been included for the first time.
- The final pages, including the staffing resources, organisational structure, budget and sports facilities had been simplified using diagrams.

Members commended the improvements made to the annual report for 2011/12 as compared to the 2010/11 annual report.

In response to a Member's query, the Support Services Manager undertook to investigate the possibility of including contact details for the Chairmen and Deputy Chairmen of the Open Spaces, City Gardens & West Ham Park Committee, Epping Forest & Commons Committee, Hampstead Heath, Highgate Wood & Queen's Park Committee and the Port Health & Environmental Services in the future.

A Member suggested that in future it should be made clearer that income generated was reinvested into the City's open spaces.

Another Member suggested that in future each photo should feature a description as to what it depicted.

RECEIVED

12. OPEN SPACES DEPARTMENT BUSINESS PLAN - FIRST QUARTER PROGRESS REPORT 2012/13 AND REVIEW OF PERFORMANCE IN 2011/12

The Committee received a report of the Director of Open Spaces. The report presented the first quarter review of the Plan and a summary of financial performance and outlined performance on the indicators for 2011/12 that were included in the previous Business Plan.

In response to a Member's query, the Director advised that in future those key performance indicators that related only to the City of London Cemetery and

Crematorium would be removed from the report to be submitted to the Committee.

The Director advised that it was hoped that the average number of sick days per department employee could be reduced to six, which would be in line with the corporate average.

RECEIVED

13. DOG CONTROL ORDERS

The Committee received a report of the Director of Open Spaces relative to Dog Control Orders. The report informed the Committee of the City's recent acquisition of a Designation Order, which enabled the City to make and enforce Dog Control orders outside the Square Mile, which came into force on 31 May 2012.

Members noted that the current intention was to consult on the introduction of one or more Dog Control Orders at Burnham Beeches before determining the way forward for other Open Spaces. In response to a Member's query, the Director confirmed that it was hoped that a consultation exercise could be held in the near future, and the Dog Control Orders could then be introduced in Burnham Beeches in September 2013.

The Director informed the Committee of new proposals covering anti-social behaviour, which could see Dog Control Orders replaced with a wider form of Order.

RESOLVED: that Members,

- i) note the report and the approach to trialling Dog Control Orders and;
- ii) approve that engagement with the Government on maintaining Secondary Authority status within the proposed new regime for anti-social behaviour can proceed.

Part C - City Gardens

14. SUPERINTENDENT'S UPDATE

The Committee received a verbal update from the Superintendent of West Ham Park & City Gardens relative to City Gardens matters. The following points were made:

- A Committee visit to the City Gardens had taken place on 20 July, which had allowed the Committee to review the ongoing CrossRail construction works in Moorgate.
- There was currently a 7% overspend due to the recent influx of Massaria into the City and Olympic spending. This would be covered by a carry forward from the 2011/12 budget and additional funding from the Olympic Centre.
- Louisa Allen, the new City Gardens Manager, would start her new role on 30 July.
- Olympic Planting was now complete however, as with several other items of 'Look & Feel,' quality had been an issue. Olympics Street

dressing was due to be completed on 24 July 2012. 6 foot Olympic mascots were in place, which had proven very popular. 40 foot inflatable mascots would appear on the lawns at St Paul's and Moorgate at various times over the summer.

- The flame would visit the City on Thursday 26 July. The City's biggest Olympic risks continued to be litter and transport. During the Olympic period, the City Gardens team would report to the City of London Olympic Coordination Centre twice each day in order to highlight any ongoing issues or successes. To ensure that departments could help best use the resources available by teaming with the Environmental services section, a great deal of planning has gone into staff timetables. All key dates and activities were on the Olympic pages of the City's website.
- A visit from the All Party Parliamentary Horticulture Group had recently been received.
- A visit from the Bishopsgate Ward Club was scheduled for 24 July 2012.

RECEIVED

15. **QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**

There were no questions.

16. **URGENT ITEMS**

There were no urgent items.

17. **EXCLUSION OF THE PUBLIC**

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

<u>Item No.</u>	<u>Paragraphs in Schedule 12A</u>
18	3
19-20	-

EXTENSION OF THE MEETING

At this point, the time limit for Committee meetings as set out in Standing Order 40 had been reached, but there being a two-thirds majority of the Committee present who voted in favour of an extension, the Committee agreed to continue the meeting.

18. **DEBT ARREARS - INVOICED INCOME FOR PERIOD ENDING 31 MARCH 2012**

The Committee considered a joint report of the Chamberlain and the Director of Open Spaces.

RECEIVED

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

There were no questions.

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

There were no urgent items.

The meeting ended at 3.46 pm

Chairman

**Contact Officer: Edward Foale
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Agenda Item 4

Committee:	Date:
Open Spaces, City Gardens & West Ham Park Committee	8 October 2012
Subject: Decision Taken Under Delegated Authority Procedures	Public
Report of: Town Clerk	For Information
<u>Summary</u> This report provides details of action taken by the Town Clerk in consultation with the Chairman and Deputy Chairman of this Committee, in accordance with Standing Order No. 41(b). Recommendations:- That the action taken since the last meeting be noted.	

Main Report

Background

Standing Order No. 41(b) provides a mechanism for decisions to be taken between scheduled Committee meetings, where the Committee has delegated authority to make the decision to the Town Clerk in Consultation with the Committee's Chairman and Deputy Chairman.

At the meeting of the Open Spaces, City Gardens & West Ham Park Committee on 23 July 2012, Members considered a report which requested the Committee's views on the governance arrangements implemented in 2011 for submission to the Governance Review Working Party as part of the Post-Implementation Governance Review. Following discussion, Members agreed to delegate power to the Town Clerk, in consultation with the Chairman & Deputy Chairman, to finalise the Committee's response to the Party.

Decisions Taken under Delegated Authority

1. The following actions have been taken under urgency Standing Order No. 41(b), since the last meeting of the Committee:

Review of the Governance Arrangements Implemented in 2011

Approval was granted (with the approval of the Court of Common Council) to delegate authority to the Town Clerk in consultation with the Chairman and Deputy Chairman in respect of the following : -

On 17 August, the Chairman wrote to the Committee setting out the view that West Ham Park should be re-established as a separate Committee. Only supportive responses were received. The views contained within the following response, in addition to the views captured in the relevant minute from the 23 July 2012 meeting, were submitted to the Governance Review Working Party for consideration.

The Committee arrangements introduced in respect of Open Spaces, City Gardens and West Ham Part by the Governance Review have caused some difficulties to the newly formed Committee, particularly in respect of Chairmanship, Deputy Chairmanship, quorum and the eligibility of the different constituent groups to speak on the variety of matters presented to the Committee.

Under the 1874 Conveyance, which sets out the arrangements for the management of West Ham Park, a non-City of London member can be Chairman or Deputy Chairman in respect of the West Ham Park business. However, such a member cannot hold this position in respect of Open Spaces or City Gardens business, may not speak on Open Spaces or City Gardens matters (without the consent of the Chairman), nor receive or participate in the consideration of non-public papers relating to Open Spaces or City Gardens.

Although attempts have been made to resolve these issues, it has been felt by the Committee that they are overly complex and do not really address the difficulties. Having considered the operation of the Committee at its July meeting, and undertaken further consultation with Members over the summer, the Committee propose that the West Ham Park Committee be re-established as a separate committee; although, in order to minimise duplicating committee administration, meeting on the same day and immediately preceding the meeting of the Open Spaces and City Gardens Committee (in line with the former precedent of the Hampstead Heath Management Committee and the Keats House Management Committee).

Membership

The membership of the West Ham Park Committee should be maintained exactly as previously, and in accordance with the requirements of the 1874 Conveyance:

- Four Members nominated by the Heir-at-law of the late John Gurney
- Two Members nominated by the London Borough of Newham
- One Member nominated by the Parish of West Ham
- Eight Court of Common Council Members

To ensure a continued link with Open Spaces & City Gardens Committee it is proposed that the same eight Court of Common Council Members be elected by the Court to serve on both the West Ham Park and Open Spaces & City Gardens Committees.

Chairmanship

As previously, the position of Chairman and Deputy Chairman of West Ham Park Committee would be open to all members of the West Ham Park Committee (in accordance with the 1874 conveyance). Appropriate arrangements will need to be agreed for the representation of the Committee at the Court of Common Council should a non-City of London Member be elected as Chairman or Deputy Chairman.

A motion would also need to be submitted to the Court of Common Council to amend Standing Order 29.3(b) in order to allow the Chairman of the proposed Open Spaces & City Gardens Committee to be eligible to stand for Chairman of the West Ham Park Committee.

Local Observer Member

As previously, the West Ham Park Committee would be invited to nominate a Local Observer to the Open Spaces & City Gardens Committee, in the same way as the Epping Forest & Commons and Hampstead Heath, Highgate Wood & Queens Park Committee currently do.

Conclusion

2. Members are asked to note to contents of this report.

Contact:

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Agenda Item 6

Committee(s):	Date(s):
Open Spaces, City Gardens and West Ham Park Committee	8 October 2012
Subject: West Ham Park Trustee's Annual report and Financial Statements for the Year Ended 31 March 2012	Public
Report of: The Chamberlain	For Information
<u>Summary</u>	
<p>The Trustee's Annual Report and Financial Statements for the Year Ended 31 March 2012 for West Ham Park are presented in the format required by the Charity Commission.</p>	
Recommendations	
<ul style="list-style-type: none">• It is recommended that the Trustee's Annual Report and Financial Statements be noted.	

Main Report

1. The Trustee's Annual Report and Financial Statements, in the format that is required by the Charity Commission, are presented for information. The accounts have been signed on behalf of the Trust by the Chairman and Deputy Chairman of the Finance Committee and have been audited.
2. Following the review of the charities for which the City is responsible it was agreed that certain key reports should be presented to your Committee in future. The Trustee's Annual Report and Financial Statements was one of these reports. Information from these statements will form the Annual return to the Charity Commission.
3. Much of the information contained within the Annual Report and Financial Statements has already been presented to your Committee via budget and outturn reports.

Contact:

Alison Elam | alison.elam@cityoflondon.gov.uk | 020 7332 1081

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WEST HAM PARK
REPORT AND FINANCIAL STATEMENTS
FOR THE YEAR ENDED 31 MARCH 2012

Charity Number: 206948

**Trustee's Annual Report and Financial Statements
for the year ended 31 March 2012**

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WEST HAM PARK
Trustee's Annual Report for the year ended 31 March 2012

1. Reference and Administration Details

Charity Name:	West Ham Park
Registered Charity Number:	206948
Principal Address:	Guildhall, London EC2P 2EJ
Trustee:	The Mayor, Commonalty and Citizens of the City of London
Chief Executive:	The Town Clerk of the City of London Corporation
Treasurer:	The Chamberlain of London
Solicitor:	The Comptroller and City Solicitor
Banker:	Lloyds TSB Bank plc City Office, PO Box 72 Bailey Drive Gillingham, Kent ME8 OLS
Auditor:	Deloitte LLP Chartered Accountants and Statutory Auditor 2 New Street Square London EC4A 3BZ

2. Structure, Governance and Management

The Governing Document and constitution of the charity

The governing document is the Corporation of London (Open Spaces) Act 1878. The charity is constituted as a charitable trust.

Trustee Selection methods

The Mayor, Commonalty and Citizens of London known as the City of London Corporation is the Trustee of West Ham Park ("the Park"). Elected Aldermen and Members of the City of London Corporation are appointed to the Committee governing West Ham Park by the Court of Common Council of the City of London Corporation.

Policies and procedures for the induction and training of trustee

The City of London Corporation makes available to its Members seminars and briefings on various aspects of the City's activities, including those concerning West Ham Park, as it considers necessary to enable the Members to efficiently carry out their duties.

WEST HAM PARK

Trustee's Annual Report for the year ended 31 March 2012

Organisational structure and decision making process

The committee governing the charity's activities is noted above. The committee is ultimately responsible to the Court of Common Council of the City of London. The decision making processes of the Court of Common Council are set out in the Standing Orders and Financial Regulations governing all the Court of Common Council's activities. The Standing Orders and Financial Regulations are available from the Town Clerk at the registered address.

Details of related parties and wider networks

Details of any related party transactions are disclosed in note 14 of the Notes to the Financial Statements.

Risk identification

The Trustee is committed to a programme of risk management as an element of its strategy to preserve the charity's assets, enhance productivity for service users and members of the public and protect the employees.

In order to embed sound practice, a Risk Management Group has been established in the City of London Corporation to ensure that risk management policies are applied, that there is an ongoing review of risk management activity and that appropriate advice and support is provided to Members and officers.

The City of London Corporation has approved a strategic risk register for all of its activities. This register helps to formalise existing processes and procedures and enables the City of London Corporation to further embed risk management throughout the organisation. A key risk register has been prepared for this charity and has been reviewed by the committee acting on behalf of the Trustee. It identifies the potential impact of key risks and the measures which are in place to mitigate such risks.

3. Objectives and activities for the Public Benefit

The Trustee has due regard to the Charity Commission's public benefit guidance when setting objectives and planning activities.

The Park was purchased in 1874 from Mr John Gurney. The conveyance to the City of London Corporation provided that it was to be held on trust forever "as open public grounds and gardens for the resort and recreation of adults and as playgrounds for children and youth". The City of London Corporation agreed to maintain and preserve the Park for this purpose at its own cost. The Park is managed by a joint committee of 15 managers, eight of whom are appointed by the City of London Corporation, four by the heirs of the late John Gurney, one by the Parish of West Ham and two by the London Borough of Newham. The Park includes a nursery in which plants are grown either for use in the Park or for use for other City of London Corporation purposes on a cost plus overheads basis.

This charity is operated as part of the City of London Corporation's City's Cash. The City of London Corporation is committed to fund the ongoing net operational costs of the charity in accordance with the purpose which is to maintain and preserve the Park "as open public grounds and gardens for the resort and recreation of adults and as playgrounds for children and youth".

WEST HAM PARK

Trustee's Annual Report for the year ended 31 March 2012

4. Achievements and Performance

Key Targets for 2011/12 and review of achievement

The key targets for 2011/12 together with their outcomes were:

- completion of the Park Management Plan 2012 2017 – incorporating Conservation Management Plan actions and review of provision of lodges and other assets;
- explore and continued to develop partnership working with horticulture college Capel Manor;
- completion of year 2 Nursery Business Plan objectives and actions, including the preparation and adoption of a Business Case for Trading externally;
- expanded and varied events programme in association with the Friends of West Ham Park, including Bat Walks, Park in the Dark, Newham's Largest Leaf Pile and Rose Prune Saturday: these events were funded from grants received by London Borough of Newham and John Lewis PLC;
- created proactive partnerships with the Tessa Sanderson Foundation, Newham Council and the Lawn Tennis Association to prepare for and engage with the 2012 Olympic activities relevant to the Park;
- carried out and implemented staff review to assist with delivering identified budget savings and installed two bore holes to assist with further efficiencies in light of economic downturn;
- successful Food Growing display gardens and activities held in the playground throughout the spring, summer and autumn months aimed at encouraging visitors to grow their own vegetables;
- funding received from Newham's Aiming High initiatives for further development of the playground with replacement and installation of new inclusive play equipment; and
- the Park supported the Newham classic 10k run on the 10 April 2011 – The run was successful and safe entrance and participation by the runners and supporters was achieved. In addition, Tessa Sanderson's Foundation, with support from park staff, provided a free seasonal training run series with, on average, over 25 regular participants.

A review of other achievements

- designed and installed a new food growing area which includes easily accessible raised beds, a borehole, edible hedge and meadow;
- created and planted a fruit tree orchard consisting of 66 trees;
- achieved Gold and category winner for Large Park of the year at London in Bloom;
- successfully tendered for a seven year contract to supply bedding to The Royal Parks - Greenwich, Bushy and Richmond Parks;
- retention of Green Flag Award status and achievement of Green Heritage Award;
- 1574 hours of volunteering were achieved during the year; and
- continued provision of annual bedding to the City of London's parks and gardens within the "Square Mile", which contributed to London in Bloom – Gold and category winner, best Floral Display and Small Park of the year awards.

All of the above achievements have or will contribute towards the enhancement of the Park for the benefit of the public.

WEST HAM PARK
Trustee's Annual Report for the year ended 31 March 2012

5. Financial Review

Review of financial position

Income was received from: £118,437 other grants (2010/11: £104,352), £3,166 interest (2010/11: £3,099), £250,331 sale of goods, products and materials (2010/11 £266,200), £71,951 fees and charges (2010/11: £60,778) and £89,843 from rents (2010/11: £89,857). No donations were received in 2011/12 (2010/11: £100). The contribution towards the running costs of the charity amounted to £1,098,909 (2010/11: £1,136,631). This cost was met by the City of London Corporation's City's Cash.

Additions to land and capital expenditure on buildings are included in the financial statements as fixed assets at historic cost, less provision for depreciation and any impairment, where this cost can be reliably measured.

Reserves Policy

The charity is wholly supported by the City of London Corporation which is committed to maintain and preserve West Ham Park out of its City's Cash Funds. These Funds are used to meet the deficit on running expenses on a year by year basis. Consequently, this charity has no free reserves and a reserves policy is therefore not required. The charity has designated fund and details are set out in note 12 of the Notes to the financial statements.

Going Concern

The Trustee considers the Park to be a going concern. Please see Note 1 (b) to the Financial Statements.

WEST HAM PARK

Trustee's Annual Report for the year ended 31 March 2012

6. Plans for Future Periods

The plans for 2012/13 are:

- adopt Park Management Plan and implement year one objectives;
- implement Conservation Management Plan actions including playground, catering facilities and property reviews;
- implement year 3 objectives and actions detailed in the 5 Year Nursery Business Plan;
- achieve a minimum of a Silver Gilt as part of the London in Bloom Campaign;
- proactively prepare for and engage with the 2012 Olympic activities relevant to the Park;
- complete investigation into shared training/resource opportunities with Capel Manor;
- provide input and participate in strategic planning and activities being led by London Borough of Newham;
- implement educational and biodiversity projects using City Bridge Trust funding secured for 2011 – 14;
- seek to reduce water usage in the Park and nursery through undertaking a full audit of water facilities and implementing good practice and action points from the Sustainability Improvement Group and SAS action plan.

7. The Financial Statements

The financial statements consist of the following and include comparative figures for the previous year.

- **Statement of Financial Activities** showing all resources available and all expenditure incurred and reconciling all changes in the funds of the charity.
- **Balance Sheet** setting out the assets and liabilities of the charity.
- **Notes to the Financial Statements** describing the accounting policies adopted and explaining information contained in the financial statements.

The financial statements have been prepared in accordance with statutory requirements and the Statement of Recommended Practice *Accounting and Reporting by Charities (Revised 2005)*.

8. Statement of Trustee's Responsibilities

The Trustee is responsible for preparing the Trustee's Report and the financial statements in accordance with applicable law and United Kingdom Accounting Standards (United Kingdom Generally Accepted Accounting Practice).

The law applicable to charities in England & Wales requires the Trustee to prepare financial statements for each financial year which give a true and fair view of the state of affairs of the charity and of the incoming resources and application of resources of the charity for that period.

WEST HAM PARK
Trustee's Annual Report for the year ended 31 March 2012

8. Statement of Trustee's Responsibilities (continued)

In preparing these financial statements, the Trustee is required to:

- select suitable accounting policies and then apply them consistently;
- observe the methods and principles in the Charities SORP;
- make judgments and estimates that are reasonable and prudent;
- state whether applicable accounting standards have been followed; and
- prepare the financial statements on the going concern basis unless it is inappropriate to presume that the charity will continue in business.

The Trustee is responsible for keeping proper accounting records that disclose with reasonable accuracy at any time the financial position of the charity and enable them to ensure that the financial statements comply with the Charities Act 2011, the Charity (Accounts and Reports) Regulations 2008 and the provisions of the charity's governing document. They are also responsible for safeguarding the assets of the charity and hence for taking reasonable steps for the prevention and detection of fraud and other irregularities.

9. Adopted and signed for on behalf of the Trustee

R.A.H. Chadwick
Chairman of Finance Committee
Guildhall, London

Raymond Michael Catt
Deputy Chairman of
Finance Committee
Guildhall, London

INDEPENDENT AUDITOR'S REPORT TO THE TRUSTEES OF WEST HAM PARK CHARITY

We have audited the financial statements of West Ham Park for the year ended 31 March 2012 which comprise the Statement of Financial Activities, the Balance Sheet and the related Notes 1 to 14. The financial reporting framework that has been applied in their preparation is applicable law and United Kingdom Accounting Standards (United Kingdom Generally Accepted Accounting Practice).

This report is made solely to the charity's Trustee, as a body, in accordance with section 144 of the Charities Act 2011 and regulations made under section 154 of that Act. Our audit work has been undertaken so that we might state to the charity's Trustee those matters we are required to state to them in an auditor's report and for no other purpose. To the fullest extent permitted by law, we do not accept or assume responsibility to anyone other than the charity and the charity's Trustee as a body, for our audit work, for this report, or for the opinions we have formed.

Respective responsibilities of Trustee and auditor

As explained more fully in the Trustee's Responsibilities Statement, the Trustee is responsible for the preparation of the financial statements which give a true and fair view.

We have been appointed as auditor under section 144 of the Charities Act 2011 and report in accordance with regulations made under section 154 of that Act. Our responsibility is to audit and express an opinion on the financial statements in accordance with applicable law and International Standards on Auditing (UK and Ireland). Those standards require us to comply with the Auditing Practices Board's Ethical Standards for Auditors.

Scope of the audit of the financial statements

An audit involves obtaining evidence about the amounts and disclosures in the financial statements sufficient to give reasonable assurance that the financial statements are free from material misstatement, whether caused by fraud or error. This includes an assessment of: whether the accounting policies are appropriate to the charity's circumstances and have been consistently applied and adequately disclosed; the reasonableness of significant accounting estimates made by the Trustee; and the overall presentation of the financial statements. In addition, we read all the financial and non-financial information in the annual report to identify material inconsistencies with the audited financial statements. If we become aware of any apparent material misstatements or inconsistencies we consider the implications for our report.

Opinion on financial statements

In our opinion the financial statements:

- give a true and fair view of the state of the charity's affairs as at 31 March 2012, and of its incoming resources and application of resources, for the year then ended;
- have been properly prepared in accordance with United Kingdom Generally Accepted Accounting Practice; and
- have been prepared in accordance with the requirements of the Charities Act 2011.

INDEPENDENT AUDITOR'S REPORT TO THE TRUSTEES OF WEST HAM PARK CHARITY (CONTINUED)

Matters on which we are required to report by exception

We have nothing to report in respect of the following matters where the Charities Act 2011 requires us to report to you if, in our opinion:

- the information given in the Trustee's Annual Report is inconsistent in any material respect with the financial statements; or
- sufficient accounting records have not been kept; or
- the financial statements are not in agreement with the accounting records and returns; or
- we have not received all the information and explanations we require for our audit.

Deloitte LLP

Chartered Accountants and Statutory Auditor

London, UK

21st August 2012

Deloitte LLP is eligible to act as an auditor in terms of section 1212 of the Companies Act 2006 and consequently to act as the auditor of a registered charity.

WEST HAM PARK

Statement of Financial Activities for the year ended 31 March 2012

	Notes	Unrestricted Funds			2011/12 £	2010/11 £
		General Fund	Designated Fund	Restricted Fund		
		£	£	£		
Incoming Resources						
Incoming resources from generated Funds						
Voluntary income		3,358	-	118,245	121,603	107,551
Grant from City of London Corporation		1,098,909	-	-	1,098,909	1,136,631
Incoming resources from charitable activities		412,125	-	-	412,125	416,835
Total incoming resources	4	1,514,392	-	118,245	1,632,637	1,661,017
Resources Expended						
Charitable activities						
Governance costs		1,371,600	6,897	74,880	1,453,377	1,429,442
		164,570	-	-	164,570	140,539
Total resources expended	5	1,536,170	6,897	74,880	1,617,947	1,569,981
Net (outgoing)/incoming resources before transfers						
		(21,778)	(6,897)	43,365	14,690	91,036
Transfer to/(from) funds	12	21,778	21,587	(43,365)	-	-
Net incoming/(outgoing) resources for the financial year		-	14,690	-	14,690	91,036
Reconciliation of funds						
Total funds brought forward	12	-	125,550	-	125,550	34,514
Total funds carried forward	12	-	140,240	-	140,240	125,550

All operations are continuing.

WEST HAM PARK

Balance Sheet as at 31 March 2012

	Notes	2012	2011
		£	£
Fixed Assets			
Tangible Fixed Assets	9	139,931	103,463
Current Assets			
Debtors	10	15,786	24,667
Cash at bank and in hand		<u>200,696</u>	<u>136,333</u>
		216,482	161,000
Creditors: Amounts falling due within one year	11	(216,173)	(138,913)
Net Current Assets		<u>309</u>	<u>22,087</u>
Total Assets less Current Liabilities		<u><u>140,240</u></u>	<u><u>125,550</u></u>
The Funds of the Charity			
Unrestricted Funds			
Designated Fund	12	<u>140,240</u>	<u>125,550</u>
Total charity funds		<u><u>140,240</u></u>	<u><u>125,550</u></u>

Approved and signed for an on behalf of the Trustee

The notes at pages 12 to 22 form part of these accounts.

Chris Bilsland
Chamberlain of London
21st August 2012

WEST HAM PARK

Notes to the Financial Statements for the year ended 31 March 2012

1. Accounting Policies

The following accounting policies have been applied consistently in dealing with items which are considered material in relation to the charity's financial statements.

(a) Basis of preparation

The financial statements have been prepared in accordance with the Charities Act 2011 and Statement of Recommended Practice *Accounting and Reporting by Charities (Revised 2005)* and under the historical cost accounting rules, and in accordance with applicable accounting standards.

(b) Going concern

The governing documents place an obligation on the City of London Corporation to preserve the open space for the benefit of the public. The City of London Corporation is committed to fulfilling this obligation which is reflected through its proactive management of, and ongoing funding for, the services and activities required. The funding is provided from the City of London Corporation's City's Cash which annually receives considerable income from its managed funds and property investments. Each year a medium term financial forecast is prepared for City's Cash. The latest forecast to the period 2015/16 anticipates that adequate funding will be available to enable the City's Cash to continue to fulfil its obligations. On this basis the Trustee considers the Park to be a going concern for the foreseeable future.

(c) Fixed assets

Heritage Land and Associated Buildings

West Ham Park comprises 31 hectares (77 acres) of land, together with associated buildings, located in the London Borough of Newham. The objectives of the charity are the preservation of West Ham Park for the recreation and enjoyment of the public. West Ham Park is considered to be inalienable (i.e. may not be disposed of without specific statutory powers). Land and associated buildings are considered to be heritage assets. In respect of the original land and buildings, cost or valuation are not included in these accounts as reliable cost information is not available and a significant cost would be involved in the reconstruction of past accounting records, or in the valuation, which would be onerous compared to the benefit to the users of these accounts.

Additions to the original land and capital expenditure on buildings are included as fixed assets at historic cost, less provision for depreciation and any impairment, where this cost can be reliably measured.

WEST HAM PARK

Notes to the Financial Statements for the year ended 31 March 2012

1. Accounting Policies (continued)

Tangible Fixed Assets

These are included at historic cost less depreciation on a straight line basis to write off their costs over their estimated useful lives and less any provision for impairment. Land is not depreciated and other fixed assets are depreciated from the year following that of their acquisition. Typical asset lives are as follows:

	Years
Operational buildings	30 to 50
Landscaping/Conservation	up to 50
Improvements and refurbishments to buildings	up to 30
Equipment	5 to 10
Infrastructure	15
Heavy vehicles and plant	7
Computer systems	3 to 7
Cars and light vans	5

(d) Incoming resources

Recognition of incoming resources

All incoming resources are included in the Statement of Financial Activities gross without deduction of expenses in the financial year in which they are entitled to be received.

Grants received

Grants are included in the Statement of Financial Activities in the financial year in which they are entitled to be received.

Grant from City of London Corporation

The City of London Corporation's City's Cash meets the deficit on running expenses of the charity and also provides grant funding for certain capital works.

Volunteers

No amounts are included in the Statement of Financial Activities for services donated by volunteers, as this cannot be quantified.

Voluntary income

Voluntary income comprises public donations, non-government grants and interest from a capital receipt in respect of the sale of property at 240 Upton Road.

Rental income

Rental income is included in the Charity's incoming resources for the year and amounts due but not received at the year end are included in debtors.

WEST HAM PARK

Notes to the Financial Statements for the year ended 31 March 2012

1. Accounting Policies (continued)

(e) Resources expended

Allocation of costs between different activities

The City of London Corporation charges staff costs to the charitable activity and to governance costs on a time spent basis. Associated office accommodation is charged out proportionately to the square footage used. All other costs are charged directly to the charitable activity.

(f) Fund accounting

The Park may, at the Trustee's discretion, set aside funds, which would otherwise form part of general funds, for particular purposes. These funds are known as designated funds. The purposes of these funds are described in Note 12 to the accounts. Restricted funds are those received by the Park to be used only for the purpose set out in the conditions of the grant. The purposes of these funds are described in Note 12 to the accounts.

(g) Pension costs

The City of London's Pension Scheme is a funded defined benefits scheme. City of London Corporation staff are eligible for membership in the pension scheme and may be employed in relation to the activities of any of the City Corporation's three main funds, or any combination of them (i.e. City Fund, City's Cash and Bridge House Estates). As the charity is unable to identify its share of the Pension Scheme assets and liabilities, this scheme is accounted for as a defined contribution scheme in the accounts.

(h) Cash flow statement

The Park has taken advantage of the exemption in Financial Reporting Standard 1 (Revised) from the requirement to produce a cash flow statement on the grounds that it qualifies for exemption as a small entity.

(i) Governance costs

The nature of costs allocated to Governance is detailed in Note 6.

2. Tax Status of the Charity

West Ham Park is a registered charity and as such its income and gains are exempt from income tax to the extent that they are applied to its charitable objectives.

3. Indemnity Insurance

The City of London Corporation takes out indemnity insurance in respect of all its activities. The charity does not contribute to the cost of that insurance.

WEST HAM PARK
Notes to the Financial Statements for the year ended 31 March 2012

4. Incoming Resources

Incoming resources are comprised as follows:

	Unrestricted Funds £	Restricted Fund £	2011/12 £	2010/11 £
Incoming resources from generated funds				
Donations	-	-	-	100
Grants	192	118,245	118,437	104,352
Interest income	3,166	-	3,166	3,099
Grant from City of London Corporation	1,098,909	-	1,098,909	1,136,631
	1,102,267	118,245	1,220,512	1,244,182
Incoming resources from charitable activities				
Sales of products or materials	250,331	-	250,331	266,200
Fees and charges	71,951	-	71,951	60,778
Rental income	89,843	-	89,843	89,857
	412,125	-	412,125	416,835
Total incoming resources	1,514,392	118,245	1,632,637	1,661,017

Grants

Aiming Higher Grant

Aiming Higher Grant received from London Borough of Newham towards continuing works on the playground. It is held as restricted whilst assets are in course of construction and will be transferred to Unrestricted (Designated) once funds have been spent in accordance with restrictions.

City Bridge Trust

Funding from the City Bridge Trust to provide educational and biodiversity services to support communities within the Greater London area.

Sales, fees and charges

Sales relate to income from the sale of bedding plants. Fees and charges income relates to income received for use of sports facilities, sports tuition fees and charges for floral decorations.

Grant from City of London Corporation

The City of London Corporation's City's Cash meets the deficit on running expenses of the charity.

WEST HAM PARK

Notes to the Financial Statements for the year ended 31 March 2012

5. Resources Expended

Resources expended are analysed between activities undertaken directly and support costs as follows:

	Activities undertaken directly £	Support costs £	2011/12 £	2010/11 £
Charitable activities	1,327,813	125,564	1,453,377	1,429,442
Governance costs	-	164,570	164,570	140,539
Total resources expended	1,327,813	290,134	1,617,947	1,569,981

No resources are expended by third parties to undertake charitable work on behalf of the charity.

Charitable activities

Expenditure on charitable activities includes labour, premises costs, equipment, materials and other supplies and services incurred as the running costs of West Ham Park.

Governance costs

General

Governance costs relate to the general running of the charity, rather than specific activities within the charity, and include strategic planning and costs associated with Trustee meetings. These costs are borne by the City of London Corporation and charged to individual charities on the basis of time spent, as part of support costs, where appropriate.

Auditor's remuneration and fees for external financial services

The City of London's external auditor reviews this charity as one of the numerous charities administered by the City of London Corporation. The City of London Corporation does not attempt to apportion the audit fee between all the different charities but prefers to treat it as part of the cost to its private funds. No other external financial services were provided for the Trust during the year or in the previous year.

Trustee's expenses

Members of the City of London Corporation are unpaid and do not receive allowances in respect of City of London Corporation activities in the city. However, Members may claim travelling expenses in respect of activities outside the city and receive allowances in accordance with a scale when attending a conference or activity on behalf of the City of London Corporation. No expense claims were made in 2011/12 (2010/11: Nil).

WEST HAM PARK

Notes to the Financial Statements for the year ended 31 March 2012

6. Support Costs

The cost of administration which includes the salaries and associated costs of officers of the City of London Corporation, together with premises and office expenses, is allocated by the City of London Corporation to the activities under its control, including this charity, on the basis of employee time spent on the respective services. These expenses include the cost of administrative and technical staff and external consultants who work on a number of the City of London Corporation's activities. Support costs allocated by the City of London Corporation to the charitable activity and to governance are as follows:

	Charitable activities £	Governance £	2011/12 £	2010/11 £
Department				
Chamberlain	-	100,248	100,248	88,217
Comptroller & City Solicitor	-	14,948	14,948	10,626
Open Spaces Directorate	42,461	-	42,461	54,557
Town Clerk	-	24,995	24,995	24,259
City Surveyor	37,226	16,722	53,948	60,778
Information Systems	16,978	-	16,978	19,866
Other governance and support costs	28,899	7,657	36,556	37,917
Total support costs	125,564	164,570	290,134	296,220

The main support services provided by the City of London Corporation are:

Chamberlain	Accounting services, insurance, revenue collection, payments, financial systems and internal audit.
Comptroller and City Solicitor	Property, litigation, contracts, public law and administration of commercial rents and City of London Corporation records.
Open Spaces Directorate	Expenditure incurred by the Directorate, which is recharged to all Open Spaces Committees under the control of the Director of Open Spaces. The apportionments are calculated on the basis of budget resources available to each Open Space charity.
Town Clerk	Committee administration, management services, human resources, public relations, printing and stationery, emergency planning.
City Surveyor	Work undertaken on the management of the Estate properties, surveying services and advice, supervising and administering repairs and maintenance.
Information Systems	The support and operation of the City of London Corporation's central and corporate systems on the basis of usage of the systems; the provision of "desktop" and network support services and small IS development projects that might be required by the charity.
Other governance costs	Contribution towards various costs including publishing the annual report and financial statements, central training, occupational health, union costs and the environmental and sustainability section.

WEST HAM PARK

Notes to the Financial Statements for the year ended 31 March 2012

7. Staff Numbers and Costs

The full time equivalent number of staff employed by the City of London Corporation charged to West Ham Park in 2011/12 is 18 (2010/11 20) at a cost of £694,596 (2010/11 £734,406). The table below sets out the employment costs and the full time equivalent staff charged directly to the charity.

	No of employees	Gross Pay £	Employers' National Insurance £	Employers' Pension Contribution £	Total £
2011/12 Charitable activities	18	568,901	37,670	88,025	694,596
2010/11 Charitable activities	20	594,655	39,816	99,935	734,406

No employees earned more than £60,000 during the year (2010/11 Nil).

8. Heritage Assets

Since 1874 the primary purpose of the Charity has been the preservation of West Ham Park for the recreation and enjoyment of the public. Land and associated buildings are considered to be heritage assets. As set out in accounting policy 1(c), the original heritage land and buildings are not recognised in the Financial Statements.

Policies for the preservation and management of West Ham Park are contained in the West Ham Park Management Plan 2010. Records of heritage assets owned and maintained by West Ham Park can be obtained from the Director of Open Spaces at the principal address which is set out on page 2.

Additions made to heritage land or buildings, where relevant information is available, are included at historic cost less accumulated depreciation in accordance with Note 1 (c).

WEST HAM PARK

Notes to the Financial Statements for the year ended 31 March 2012

9. Tangible Fixed Assets

At 31 March 2012 the net book value of tangible fixed assets relating to direct charitable purposes amounts to £139,931 (31 March 2011: £103,463) as set out below.

	Equipment £	Total £
<u>Cost</u>		
At 1 April 2011	103,463	103,463
Additions	43,365	43,365
At 31 March 2012	146,828	146,828
<u>Depreciation</u>		
At 1 April 2011	-	-
Charge for year	6,897	6,897
At 31 March 2012	6,897	6,897
<u>Net book values</u>		
At 31 March 2012	139,931	139,931
At 31 March 2011	103,463	103,463

10. Debtors

Debtors consist of amounts owing to the charity due within one year.

The debtors figure consists of:

	2012 £	2011 £
Rental Debtors	-	6
Other Debtors	2,321	932
Recoverable VAT	1,734	11,718
Payments in Advance	11,731	12,011
Total	15,786	24,667

WEST HAM PARK
Notes to the Financial Statements for the year ended 31 March 2012

11. Creditors

Creditors consist of amounts due within one year.

The creditors figure consists of:

	2012 £	2011 £
Trade Creditors	14,175	22,332
Accruals	151,309	90,728
Other Creditors	29,717	5,176
Receipts In Advance	20,972	20,677
Total	216,173	138,913

12. Movement of Funds during the year to 31 March 2012

	Balance at 1 April 2011 £	Net (outgoing) /incoming resources £	Transfers £	Balance at 31 March 2012 £
Unrestricted Funds				
<i>General Funds</i>	-	(21,778)	21,778	-
	-	(21,778)	21,778	-
<i>Designated Funds</i>				
West Ham Park Nursery	22,087	-	(21,778)	309
Tangible Fixed Assets	103,463	(6,897)	43,365	139,931
	125,550	(6,897)	21,587	140,240
Total Unrestricted Funds	125,550	(28,675)	43,365	140,240
Restricted Funds				
Aiming Higher Grant		43,365	(43,365)	-
Total Restricted Funds	-	43,365	(43,365)	-
Total Funds	125,550	14,690	-	140,240

WEST HAM PARK

Notes to the financial statements for the year ended 31 March 2012

Notes to the funds

Designated funds

West Ham Park Nursery

The West Ham Park Nursery produces seasonal plants for all the open spaces maintained by the City of London, as well as a floral decoration service for ceremonial functions at Guildhall, Mansion House and other City of London Corporation buildings. At the end of the year, any trading surplus or deficit on the General Fund is transferred to a Designated Fund which is the total net accumulated surplus held against possible future deficits on the Nursery account.

Tangible Fixed Assets

Designated funds consist of Tangible Fixed Assets at historic cost less accumulated depreciation in accordance with Note 1 (c).

Restricted funds

Aiming Higher Grant

Aiming Higher Grant received from London Borough of Newham towards continuing works on the playground. It is held as restricted whilst assets are in course of construction transferred to Unrestricted (Designated) once funds have been spent in accordance with restrictions. This project is now complete.

13. Pensions

The triennial valuation undertaken as at 31 March 2010 revealed a reduced funding level of 86% (from 87% in 2007). Following this valuation, the contribution rates to be applied for 2011/12, 2012/13 and 2013/14 are 17.5%.

In 2011/12, the total employer's contributions to the pension fund for staff employed on City's Cash activities (including West Ham Park) were £6.0m amounting to 17.5% of pensionable pay. The figures for 2010/11 were £6.5m and 18.5% of pensionable pay.

Although the Pension Fund is a defined benefit scheme, for the purpose of FRS17 City's Cash (and therefore West Ham Park) is unable to identify its share of the underlying assets and liabilities. Consequently the pension arrangements are treated as a defined contributions scheme in the City's Cash and these accounts. The deficit of the scheme calculated in accordance with FRS17 by independent consulting actuaries at 31 March 2012 is £351m (2010/11 £188m).

WEST HAM PARK

Notes to the financial statements for the year ended 31 March 2012

14. Related Party Transactions

The following disclosures are made in recognition of the principles underlying Financial Reporting Standard 8 concerning related party transactions.

The City of London Corporation as well as being the Trustee also provides management, surveying and administrative services for the charity. The costs incurred by the City of London Corporation in providing these services are charged to the charity. The City of London Corporation also provides banking services, allocating all transactions to the charity at cost and crediting or charging interest at a commercial rate. The cost of these services is set out in the Statement of Financial Activities under "Resources Expended" and an explanation of these services is set out in note 6 to for the support costs of £290,134. The City of London Corporation's City's Cash meets the deficit on running expenses of the charity. This amounted to £1,098,909 as shown in note 5 to the financial statements.

The City of London Corporation is also the Trustee of a number of other charitable Trusts. These Trusts do not undertake transactions with West Ham Park. A full list of other charitable Trusts of which the City of London Corporation is Trustee is available on application to the Chamberlain of the City of London.

Members of the City of London Corporation responsible for managing the Park are required to comply with the Relevant Authority (model code of conduct) Order 2001 issued under the Local Government Act 2000 and the City of London Corporation's guidelines which require that:

- Members sign a declaration agreeing to abide by the City of London Corporation's code of conduct.
- a register of interests is maintained.
- pecuniary and non-pecuniary interests are declared during meetings.
- Members do not participate in decisions where they have an interest.

There are corresponding arrangements for staff to recognise interests and avoid possible conflicts of those interests.

In this way, as a matter of policy and procedure, the City Corporation ensures that Members and officers do not exercise control over decisions in which they have an interest. There are no material transactions with organisations related by virtue of Members and officers interests which require separate reporting. Transactions are undertaken by the Park on a normal commercial basis.

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Agenda Item 7

Committee(s):	Date(s):
Open Spaces, City Gardens and West Ham Park Committee	8 October 2012
Subject: Risk Management – West Ham Park Local Risk Register	Public
Report of: Director of Open Spaces	For Decision

Summary

Following a review of the City of London charities in 2010, the Comptroller and City Solicitor advised that it was important that this Committee has ownership of, and receive reports on, key policies including risk management.

As part of the corporate risk management process and in line with the arrangements for the City of London's charities, it has therefore been agreed that this Committee should receive an annual report on the main risks that affect West Ham Park and this is attached to this report.

The departmental Risk Register covering all the City Corporation's Open Spaces was included in the Business Plan for 2012 – 2015, which was approved by this Committee on 25 April 2012.

The Director of Open Spaces is accountable for ensuring that significant risks in relation to the operational responsibilities of this Committee are escalated to Members on a timely basis. This report therefore provides Members with an opportunity to examine the main local risks for West Ham Park.

Recommendation

- That the current local risk register for West Ham Park is agreed.

Main Report

Background

1. The City of London is committed to a programme of risk management as an element of its strategy to preserve the assets of the charities it manages, enhance productivity for service users and members of the public and protect its employees.

2. The City's risk management framework has been developed in accordance with recognised best practice, including, and of particular relevance to the Open Spaces and Charity Commission guidance, to ensure that the role and responsibilities of Trustees in relation to risk management align with those of Members.
3. In order to embed sound practice, a corporate Risk Management Group ensures that risk management policies are applied, that there is an ongoing review of risk management activity and that appropriate advice and support is provided to Members and officers.
4. The City of London has approved a strategic risk register for all of its activities. This register helps to formalise existing processes and procedures and enables the City of London to further embed risk management throughout the organisation.
5. West Ham Park is a charitable trust, with the City of London acting as trustee and this Committee being responsible for its protection and management. Following a review of the City of London charities, the Comptroller and City Solicitor advised that it was important that this Committee has ownership of, and receive reports on, key policies including risk management.

Current Position

6. The current Open Spaces Department Risk Register was included in the Business Plan for 2012 – 2015, which was approved by this Committee on 25 April 2012.
7. A report from the Chamberlain to this Committee at the meeting on 14 May 2012 set out the key requirements of the Risk Management Handbook, particularly those in relation to the role and purpose of Service Committees or their designated Sub-Committees. Departments are required to undertake regular systematic review of their key operational risks, updating their departmental Risk Register accordingly.
8. In accordance with the Risk Management Handbook, the Open Spaces Department considers significant risks identified across all its sites. Routine review and monitoring of departmental risk has been aligned with the business performance review and, as such, will now form part of the quarterly business planning update to this Committee.

9. Advice from the Charity Commission states that where a Council is itself the charity trustee, individual councillors are not a trustee and do not have the responsibilities or liabilities of a trustee. Members do however need to have oversight of the significant risks and how they are being managed, with the appropriate Chief Officer taking ownership of the risks. The Director of Open Spaces is therefore accountable for ensuring that significant risks in relation to operational responsibilities of the Committee are escalated to Members on a timely basis.
10. A key risk register has therefore been prepared for West Ham Park which identifies the potential impact of key risks and the measures which are in place to mitigate such risks. This register is attached to this report as Appendix A. For reference, a copy of the Open Spaces departmental register is also attached as Appendix B, with an explanation of the status of all the risks and how the scores are calculated.
11. This is the first annual report on the main risks that affect this charitable trust and, during the year, any further risk management updates from the Superintendent will be included in his regular verbal update reports to this Committee.

Corporate & Strategic Implications

12. Risk management is a fundamental part of the business planning process and is therefore highlighted when the plan is updated. The key financial, property and other risks have been considered when compiling the registers for the site, together with an indication of the mitigating actions/controls that are in place.

Conclusion

13. In accordance with the City's risk management framework and the administration of the City of London's charities, it has been agreed that this Committee should be updated annually about the key risks faced by West Ham Park. Members are asked to note that appropriate actions are being taken to manage and mitigate those risks effectively in a timely manner.

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Risk No.	West Ham Park Risk Details	Risk Owner/ Lead Officer	Existing Controls	Likelihood (previous assessment)	Impact (previous assessment)	Status	Further Action
1	Extreme weather or changing environmental conditions having direct impact on site operations and usage	Superintendent	Severe weather warnings provide alerts in good time. Contingency plans in place to ensure continuity of business in the event of severe flooding.	Possible	Severe	18	Review business continuity plan annually or after major incident.
2	Unavoidable reduction in income through loss of clients or change in planning legislation	Superintendent	Robust budget monitoring regime to ensure that site remains within its local risk budgets. Identification of new income streams/ customers where feasible.	Likely	Moderate	16	Identify further potential funding bids/partners.
3	Impact on asset through outbreak of pest or disease affecting trees or plants with the potential to change the character of the landscape	Superintendent	Staff trained to observe potential problems and specialist knowledge contracted in. Membership of relevant bodies and forums gives access to latest research/treatments.	Likely	Moderate	16	Additional training being provided to staff to strengthen in-house knowledge base
4	Threat of death or serious injury resulting in heavy fines and bad publicity, should health & safety procedures (or other regulations) fail.	Superintendent	Departmental Framework now in place and being rolled out to team. Annual audit system implemented and actioned. Strong health & safety culture throughout the team, embedded through performance reviews, etc.	Possible	Moderate	13	External consultant employed to undertake 'health-check' to ensure new framework embedded in culture.
5	Major incident affecting services directly or indirectly	Superintendent	Business continuity plan produced identifying alternative working locations/ business systems in event of attack. Adhere to advice of Security & Contingency Planning team and Police.	Unlikely	Moderate	10	Review business continuity plan annually or after major incident.

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Open Spaces Department Risk Register

Appendix B

The method of assessing risk reflects the City Corporation's standard approach to risk assessment as agreed by the Strategic Risk Management Group. Each risk is assigned a score from 1 to 25 (with 1 being the lowest risk and 25 being the highest risk) using the 5x5 matrix shown on the next page. The matrix assigns a single score to each risk based on its 'impact' and the 'likelihood' of it happening. The SRMG has also issued guidance on interpretation of the 'Impact Terms' used in the matrix.

The register is divided into columns which show the following:

- Risk number
- Risk Direction
- Risk Details
- Risk Owner/ Lead Officer
- Existing Controls
- Likelihood
- Impact
- Status
- Further Action

The resultant scores can be categorised as:

- Low Risk – 1 to 7 (colour coded green);
- Medium Risk – 8 to 18 (amber);
- High Risk – 19 to 25 (red).

Strategic Risk Management Group

The Risk Assessment Matrix

Page 48	IMPACT	LIKELIHOOD					
		CATASTROPHIC	14	20	22	24	25
		SEVERE	11	17	18	21	23
		MODERATE	6	10	13	16	19
		MINOR	3	5	8	12	15
		INSIGNIFICANT	1	2	4	7	9
			IMPROBABLE	UNLIKELY	POSSIBLE	LIKELY	VERY LIKELY

Strategic Risk Management Group – Impact Assessment Criteria

Impact	Description	Indicators
Insignificant	An event where the impact can be easily absorbed without management effort.	<ul style="list-style-type: none"> ▪ No real impact on service delivery ▪ Short term loss up to £5k adverse variances across one or more budget ▪ Very minor injuries ▪ No sustained reputational damage, does not result in adverse media comment
Minor	Impact can be readily absorbed although some management input or diversion of resources from other activities may be required. The event would not delay or adversely affect a key operation or core business activity.	<ul style="list-style-type: none"> ▪ Disruption on a divisional/ business unit level. Impact on service delivery of little/ no concern to stakeholders ▪ Short term loss of up to £10k, or adverse budget variance of up to 10%. ▪ Slight injuries ▪ Minimal localised reputational damage with minor short-term adverse media comment, early recovery possible
Moderate	An event where the impact cannot be managed under normal operating conditions, requiring some additional resource or Senior Management input or creating a minor delay to operation or core business activity	<ul style="list-style-type: none"> ▪ Serious disruption to service delivery from one department, affecting an isolated group of customers, short term impact on the environment ▪ Short term loss of £100k, or adverse budget variance of 10-25%. ▪ Major/Serious injuries ▪ Breach of regulation/ law leading to sanctions or legal action ▪ Local adverse media comment/ public perception, possible medium/ long-term impact
Major	Major event or serious problem requiring substantial management/ Chief Officer effort and resources to rectify. Would adversely affect or significantly delay an operation and/ or core business activity or result in failure to capitalise on a business opportunity.	<ul style="list-style-type: none"> ▪ Serious disruption to service delivery from more than one department, affecting a range of customers, recovery possible in the short term. ▪ Sustained loss of £5-10m, or short term loss in excess of £1m, or adverse budget variance of 25-50%. ▪ Single fatality/ medium-term impact on quality of life. ▪ Serious breach or regulation/ law causing intervention/ sanctions/ legal action ▪ Short-term adverse media comment on a National level with prolonged comment on a local level leading to long-term damage and a general loss of confidence
Catastrophic	Critical issue causing severe disruption to the City of London, requiring almost total attention of the Leadership Team/ Court of Common Council and significant effort to rectify. An operation or core business activity would not be able to go ahead if this risk materialised.	<ul style="list-style-type: none"> ▪ Catastrophic impact on service delivery across the organisation, protracted recovery period, possibly requiring organisational structure or process change ▪ Sustained loss in excess of £10m per annum or adverse budget variance of greater than 50% inadequate resources to fund essential operations ▪ Multiple fatalities/ long-term impact on quality of lives or permanent impact on the environment ▪ Substantial breach of regulation/ law resulting in prosecution of directors/ Corporation ▪ Substantial adverse media comment on an International/ National level, with long-term impact that may threaten the City Corporation's ability to continue to operate as a service provider.

The descriptors above are indicative of likely outcomes/ materiality measures at each impact level, this table has been developed to assist in ensuring that risk is considered and assessed within the appropriate context. As part of the assessment process, due consideration must be given to the lifetime of a risk; the project lifecycle or duration of the activity, whether this is a one off or a recurring activity and the general proximity of the risk.

Open Spaces Department Risk Register	Owned By	Director of Open Spaces	Version	1
	Administered By	Support Services Manager	Date	01/12/2011

Risk No.	Risk Direction	Risk Details	Risk Owner/ Lead Officer	Existing Controls	Likelihood (previous assessment)	Impact (previous assessment)	Status	Further Action
1	↓	Threat of death or serious injury resulting in heavy fines and bad publicity, if health and safety procedures fail or other regulations fail.	Director of Open Spaces and Superintendents	The Department has developed an annual H&S auditing system including independent assessment, and has identified Top X risks. Departmental H&S Policy Framework now developed. Mapping of underground services has been carried out across the Department.	Possible	Moderate	13	Action outcomes from annual audit and accident investigations. Keep Top X risks under review. Alert staff to new mapping arrangements.
2	↓	Buildings/ infrastructure may deteriorate or become unstable/ unusable through insufficient maintenance and may cause serious injury	City Surveyor and the Director of Open Spaces	-City Surveyor undertakes annual surveys and has a 20 year plan of works to maintain the buildings. -The Superintendents have commented on revisions to the maintenance plan including infrastructure. -Extra investment from the additional works programme. Control measures have been introduced for some reservoirs and others are planned. -Corporate training on the Control of Contractors implemented and protocol developed.	Unlikely	Moderate	10	Further meetings taking place with the City Surveyor to develop a SLA. Develop plan to address Wanstead Park "at risk" status. Departmental legionella and asbestos plans have been completed.

Risk No.	Risk Direction	Risk Details	Risk Owner/ Lead Officer	Existing Controls	Likelihood (previous assessment)	Impact (previous assessment)	Status	Further Action
3	→	Extreme weather or changing environmental conditions having an effect on site operations and usage.	Superintendents and the City Surveyor	Monitoring of reservoirs required to meet Environment Agency directives. Emergency plans required and being prepared. Regular monitoring of water levels taking place. Planting regimes adapted to take account of changing weather patterns. Departmental Habitat Fire Management Policy developed.	Possible	Catastrophic	22	Completion of Emergency Plans and introduction at all sites. Agree defined responsibilities for the Director of Open Spaces and City Surveyor to address implications of Dam works at Hampstead Heath and Epping Forest.
4	↓	Major incident (e.g. terrorist attack) leading to OS property/ land being incapable of occupation.	City Surveyor and OS Management Team	Departmental contingency plan produced, which allows the work of the Directorate to move to our local offices, if necessary. Adhering to the advice of the Business Continuity team and City Police.	Unlikely	Moderate	10	Review contingency plan annually or after a major incident.
5	→	Service delivery affected by outside factors e.g. pandemic, strikes, fuel shortages & Olympics.	OS Management Team	Departmental pandemic plan produced. Cover can be arranged for staff, but other controls to mitigate the effect of other factors are more difficult. Olympic Resource plan has been produced.	Possible	Moderate	13	Review in the light of any further advice from the Corporate Business Continuity team.

Risk No.	Risk Direction	Risk Details	Risk Owner/ Lead Officer	Existing Controls	Likelihood (previous assessment)	Impact (previous assessment)	Status	Further Action
6	↑	Failure to secure sufficient external funding for major capital works.	Superintendents of EF and HH	Funding achieved for Wanstead Flats and Branching Out Project. Funding for Hampstead Heath and Wanstead Park still to be identified.	Unlikely	Moderate	10	Project programmes in place to secure funding for Hampstead Heath and Wanstead Park, but will have to follow the further resolution of hydrology issues.
7	→	Unavoidable reduction in income.	Superintendents	All sites monitor their income and debt closely to ensure they remain within their local risk budgets and new income streams have been identified where appropriate. More pressure on budgets due to efficiency savings. Monitoring cross-compliance of ELS/ HLS obligations.	Likely	Moderate	16	Further ways of increasing income to be considered at all sites.
8	↑	Encroaching housing development may have an adverse effect on the Open Spaces, arising from Planning legislation changes	Superintendents	Planning applications monitored closely by Superintendents. Adjoining land is purchased when possible to effect a buffer zone.	Likely	Moderate	16	Monitor further opportunities to purchase land. Need to develop mechanisms and identify new solutions to address planning policy.
9	↓	IS failure affecting service delivery.	IS Division	Risk management included in IS Strategy, numerous measures in place. Departmental business continuity plan has been developed.	Likely	Moderate	16	Continuous review of systems and improvement programme carried out by IS Division.

Risk No.	Risk Direction	Risk Details	Risk Owner/ Lead Officer	Existing Controls	Likelihood (previous assessment)	Impact (previous assessment)	Status	Further Action
10	→	Impact on Landscape Management of an outbreak of diseases affecting animals (e.g. foot & mouth) Plant and tree diseases, with the potential to alter the character of land and eradicate plants.	Superintendents	Monitor DEFRA websites for updates. Meet all DEFRA guidance on animal welfare, movements and, if outbreak occurs, protection zones. Train relevant staff. Inform public/ restrict access as required. Monitoring Forestry Commission and DEFRA web sites.	Likely	Moderate	16	Continue to monitor arrangements for grazing animals and local animal enclosures. Consider additional vaccination. Review annually. Introducing further measures, based on advice received.
11	→	Loss of specialist statistical information relating to non-supported data.	OS Management Team and IT Manager	Contingency arrangements for IS and premises in place. Dependence on specialist software kept under review by the departmental IS improvement group.	Possible	Moderate	13	Ensure specialist software used as such as ArboTrack is supported in the future by its supplier. Need to consider moving to GIS in the future.
12	→	Increase fly-tipping, including handling hazardous substances, with risk of contamination, risk of environmental damage, landfill tax.	Superintendents	Ensure staff are appropriately briefed.	Likely	Moderate	16	Promote the need for increased fines and ensure more publicity to highlight the issue.
13	↑	Implications of increasing energy costs.	Superintendents	Departmental Improvement Group and a Departmental Energy Action Plan.	Likely	Moderate	16	Demand to reach Carbon Reduction Commitment.
14	→	Inability to deliver additional burial space.	Superintendent and Registrar	Scheme to use more of existing burial space and reuse graves.	Possible	Moderate	13	Developing a project to prepare additional space for 10 years' time.

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Agenda Item 8

Committee(s):	Date(s):	Item no.
Open Spaces, City Gardens and West Ham Park Committee	8th October 2012	
Subject: National Planning Policy Framework and Neighbourhood Planning - implications for the City of London's Open Spaces	Public	
Report of: Director of Open Spaces	For Decision	
<u>Summary</u>		
<p>The National Planning Policy Framework (NPPF) has swept aside much detail in terms of the protection of the Green Belt and Metropolitan Open Land (MOL), including the new presumption in favour of sustainable development. The implications for the City's Open Spaces are considered. The report proposes seeking to work with the Greater London Authority (GLA) to identify means of strengthening strategic planning in the London Plan, to explicitly protect and enhance the portfolio of open spaces across London. The existing local planning policy framework, (still in preparation in many areas,) does not provide a clear enough guide for development proposals affecting our open spaces. A strengthened strategic policy, which explicitly referred to the Corporation's open spaces, would provide greater clarity and make certain that any developments affecting these areas would be resisted. Further protection could be achieved by seeking Statutory Consultee status; however this would take longer to achieve as it would require secondary legislation and is likely to require significantly increased resources.</p>		
Recommendations		
Members are asked to:-		
<ul style="list-style-type: none">• Support an approach to the Greater London Authority to both review this report and consider the most appropriate way of amending existing policies in order to address the concerns raised in the report.• Agree to officers engaging with the All London Green Grid (ALGG) initiatives to identify ways in which greater recognition can be achieved for the Corporation's Open Spaces.• Member's views are sought on whether to pursue seeking to achieve Statutory Consultee status.		

Main Report

Background

1. The Government is committed to reforming the planning system as part of its wider promotion of 'localism'. It considers that the existing system is so elaborate that it discourages local involvement in the planning process and

local acceptance of new development arising from it. The much shorter National Planning Policy Framework (NPPF) which came into force on 27th March 2012 provides a simpler framework within which local people and their councils can produce their own distinctive local and neighbourhood plans, to reflect the needs and priorities of their communities.

2. The City of London's Open Spaces are used and enjoyed by millions of visitors each year. They are important wildlife habitats but also provide many facilities for visitors. The Corporation has duties under section 28G of the Wildlife and Countryside Act (1981 as amended), the Natural Environment and Rural Communities Act (2006) and EU Habitats Regulations; which require the City of London to take reasonable steps to further the conservation and enhancement of its Open Spaces.
3. Whilst it is important to promote and manage these spaces continuously, the requirement for growth and new housing in London and the South East is placing considerable pressure on our open spaces. A significant number of planning applications are submitted each year, which affect these Open Spaces; this generates a substantial workload. For example, Burnham Beeches is likely to deal with some 50 planning objections this year (has been up to 100 in previous years); whilst Hampstead Heath deals with some 60 applications. Epping Forest handled 127 applications in 2011, with 26 requiring responses (Planning Casework, EF&CC 5March 2012). These applications frequently relate to land immediately adjacent to or, close to, an Open Space and often concern the scale of development.
4. Appendix 1 summarises the wide range of planning authorities and designations impacting on these open spaces. Although the open spaces are generally well protected (through our land ownership and appropriate Open Spaces Acts), it is the effect of adjacent development that can cause considerable harm; this varies with each application but often includes the visual landscape, air pollution, and drainage and water table impacts.
5. The open spaces themselves provide London with a green infrastructure that is important to the health, welfare, quality of life experience and enjoyment for residents, businesses and visitors. Given their strategic importance in terms of the overall functioning of the City it is considered that options for a London-wide strategic policy should be explored with the GLA.
6. This report considers the strategic planning policy options available for managing the Corporation's open spaces and whether more could be done to reduce the planning pressures on these spaces and thus the resources (officer time) required.

Current Position

The presumption in favour of sustainable development

7. The NPPF transitional arrangements, for twelve months, allow development plan policies adopted since 2004 to be given full weight, even

if there is a limited degree of conflict with the NPPF. In other cases and after 27th March 2013, relevant weight must be given to local policies in accordance with their consistency with the NPPF. To date only half of local planning authorities (LPAs) have adopted a core strategy (and others need to review them following the NPPF) this is likely to cause some significant issues when resisting development based on pre-2004 Development Plan policies.

8. It is assumed that it will not be possible to rely on pre-2004 policies. Given that they were not subject to the test of ‘soundness’ required under the 2004 legislation. This is important because, where the development plan is silent/ absent / out of date, the NPPF provides there should be a presumption in favour of sustainable development (PFSD). Consequently, LPAs have only a short period in which to update their development plans before all allocations and development control policies have to be considered in the context of the NPPF. In addition, for housing policy, a failure to demonstrate a 5year land supply automatically triggers PFSD.
9. If the development plan is absent, LPAs will find many development proposals more difficult to resist unless the adverse impacts of granting permission would ‘significantly and demonstrably outweigh the benefits’, a much higher requirement than previous policy. The NPPF also makes clear that “*Supplementary planning documents should be used where they can help applicants make successful applications or aid infrastructure delivery and should not be used to add unnecessarily to the financial burdens of development*”.

Green Belts, Metropolitan Open Land and Open Space

10. Metropolitan Open Land (MOL) is a designation only used within London and provides the same level of protection as Green Belt; to protect areas of landscape, recreation, nature conservation and scientific interest, which are strategically important. Strategic applications are referred to the GLA and cannot be determined locally, although smaller applications are not always monitored in the same way.
11. The NPPF provides guidance to facilitate the restriction of inappropriate development within open spaces. Paragraph 74 states that:

“Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

 - *an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or*
 - *the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or*
 - *the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss”.*

12. Whilst the NPPF is silent on explicitly mentioning MOL, the general thrust of green belt policy has changed relatively little from PPG2, although much detail has been swept aside.

Paragraphs 87 and 88 of the NPPF sets out the key approach to development proposals within the green belt, which states:

“As with previous Green Belt policy, inappropriate development is, by definition harmful to the Green Belt and should not be approved except in very special circumstances.

When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.”

13. The main change is in the context within which green belts operate. Since the early 1990s, green belts have operated within a framework of regional planning, with structure plans or regional strategies setting the broad extent and providing the context for review. With the general absence of regional planning it is not yet known how the overall framework for developments within them will be monitored or regulated. They were designed to prevent the coalescence of urban areas and maintain the openness of the countryside, yet despite the NPPF and ministerial statements, there is uncertainty over the future strength of green belt protection in the absence of the overarching regional framework,

Neighbourhood Plans

14. The Localism Act, which received Royal Assent on 15th November 2011, introduced new rights and powers to allow local communities to shape new development by coming together to prepare neighbourhood plans.
15. Neighbourhood planning can be taken forward by two types of body – town and parish councils or ‘neighbourhood forums’. Neighbourhood forums are community groups that are designated to take forward neighbourhood planning in areas without parishes. It is the role of the local planning authority to agree who should be the neighbourhood forum for the neighbourhood area.
16. The criteria for establishing neighbourhood forums are being kept as simple as possible to encourage new and existing residents’ organisations, voluntary and community groups to put themselves forward. The current criteria for a Neighbourhood Forum is it should have a minimum of 21 people who live or work or are Councillors in the neighbourhood, is open to all including those wanting to live in the area – and has a constitution.
17. Neighbourhood forums and parish councils can use new neighbourhood planning powers to establish general planning policies for the development

and use of land in a neighbourhood. These are described legally as ‘neighbourhood development plans.’

18. In an important change to the planning system communities can use neighbourhood planning to permit the development they want to see – in full or in outline – without the need for planning applications. These are called ‘neighbourhood development orders.’
19. Local councils will continue to produce development plans that will set the strategic context within which neighbourhood development plans will sit. Neighbourhood development plans or orders do not take effect unless there is a majority of support in a referendum of the neighbourhood. They also have to meet a number of conditions before they can be put to a community referendum and legally come into force. These conditions are to ensure plans are legally compliant and take account of wider policy considerations (e.g. national policy).

Conditions are:

- they must have regard to national planning policy;
- they must be in general conformity with strategic policies in the development plan for the local area (i.e. such as in a core strategy); and
- they must be compatible with EU obligations and human rights requirements.

20. One of the basic conditions is that the neighbourhood plan is in general conformity with the strategic policies contained in the development plan. S.38 of the Planning and Compulsory Purchase Act 2004 defines “development plan” as the development plan documents (DPDs) adopted for the area and Schedule 8 extends this to include saved local plans. Where there are no DPDs in an area the examiner must consider whether the draft plan/ order is in general conformity with the strategic policies in the saved development plan. In London, the development plan for the local area includes the London Plan and any development plan documents prepared by borough councils applicable to that local area.
21. An independent qualified person then checks that a neighbourhood development plan or order appropriately meets the conditions before it can be voted on in a local referendum. This is to make sure that referendums only take place when proposals are workable and of a decent quality.
22. Proposed neighbourhood development plans or orders need to gain the approval of a majority of voters of the neighbourhood to come into force. If proposals pass the referendum, the local planning authority is under a legal duty to bring them into force.
23. The NPPF makes explicit reference to the opportunity for neighbourhood plans to promote more development than is set out in the local plan. Neighbourhood planning is about shaping the development of a local area in a positive manner. It is not a tool to stop new development proposals

from happening and should reflect local and national policies.

Neighbourhood plans and orders should not promote less development than set out in the local plan or undermine its strategic policies.

24. Although Neighbourhood plans cannot permit development on our open spaces (due to our land ownership); by supporting increased development locally, they have the potential to cause harm to the open spaces.

All London Green Grid (ALGG)

25. The ALGG was published as Supplementary Planning Guidance (SPG) in March 2012. This provides a framework for the creation, enhancement and management of green and open spaces across Greater London. The objectives include, but are not limited to, promoting urban greening, enhancing biodiversity, healthy living, heritage and landscape features and improving air quality. The way in which this work will be further implemented is not yet clear and there may be opportunities for greater recognition of the Corporation's open spaces. By linking strategic spaces, the ALGG may afford these areas more protection, but it is too early to know.

Options

26. With the significant changes in planning policy affecting our open spaces and the constraints on resources to monitor planning applications, the Committee needs to determine whether there is more that can or should be done to support and protect these open spaces.

Statutory Consultee

27. Statutory Consultees are organisations and bodies, defined by statute, which must be consulted on relevant planning applications. Key organisations (in terms of impact and volume of consultations) include the Environment Agency, Natural England, English Heritage and the Highways Agency. Other bodies include local highway and local planning authorities (in relation to some forms of development in adjoining areas) and organisations with very specific interests, such as the Theatres Trust.
28. Non-statutory consultees are organisations and bodies, identified in national planning policy, which should be consulted on relevant planning applications. These include some bodies who are also statutory consultees (for example English Heritage and English Nature) and others that are not, such as the Police Architectural Liaison Officers.
29. Each local planning authority is required to prepare a Statement of Community Involvement which sets out which organisations will be consulted on planning applications, including both statutory and non-statutory consultees. However, to ensure that the Corporation is included as a key consultee in each of the SCIs affecting our open spaces, or to request changes to existing SCIs, would be a resource intensive process. Local

planning authorities are also required to keep SCIs under regular review, so this will be a continuing call on resources.

30. In terms of implementing the Corporation's objectives to manage development proposals that affect its portfolio of open spaces, an option could be to explore ways in which the Corporation becomes a Statutory Consultee for all proposals affecting its land. This would require secondary legislation and would not necessarily address the Corporation's concerns on how to resource and respond to the on-going supply of planning applications in question.
31. The Town and Country Planning Order 1995, sets out a timeframe of 21 days for statutory consultees to provide advice on applications, although for complex cases different time periods can be agreed. This requirement would result in further budgetary and resource constraints, if we were to seek Statutory Consultee status. Furthermore, a formal position may, at times, reduce the flexibility in the way we currently operate. Generally, officers are of the opinion that the disadvantages of this approach outweigh the advantages.

Strategic Policy

32. In the context of an overall weakening or watering down of open space policies at the national level and within the NPPF it will be important to ensure that greater clarity is provided through policies in order to present the gradual erosion of the Corporation's open spaces. The existing local planning policy framework affecting the Corporations' open spaces is as diverse as the spaces themselves. This presents a management issues for the Corporation given the variety local policies that are applicable to each site. Attempts to prepare separate planning policy documents or SPDs for each site would be hugely challenging and resource intensive process and not necessarily supported by guidance in paragraph 153 of the NPPF, which discourages the use of too many SPDs. One alternative would be to explore ways in which a Strategic Policy, via the London Plan, could be strengthened to explicitly protect and manage the Corporation's portfolio of open spaces.
33. It should be recognised that this approach would not directly benefit sites located considerably beyond the Greater London area e.g. Burnham Beeches; although there is a possibility of indirect benefit. In these locations, there may be no alternative to continued liaison with the local planning authority on policy development, although officers will continue to investigate any possible opportunity for additional protection.
34. The current planning framework largely relies on policies being implemented at a local level, which has placed greater emphasis on the need for the Corporation's Superintendents to become involved at the planning application stages for individual development proposals and to decipher the local polices in the context of each planning application, to

ensure that the Corporation's objectives are met. The growing trend for extensions and basement proposals in particular means that many applications affecting the Corporation's open spaces that are designated areas of MOL; do not meet with the criteria outlined in the Mayor of London Order for referral (i.e. proposals less than 1,000 sq.m). This is inadvertently resulting in a gradual erosion of the Corporation's spaces as there is no overall strategy for monitoring the many smaller applications that escape a referral. The recent Government announcement proposing further relaxation of planning controls on extensions may result in greater pressure.

35. Whilst there is Strategic Policy support within the London Plan for the protection of the MOL and London's strategic open spaces, it is the Corporation's experience that this protection is not necessarily being applied consistently or robustly at the local level, where officers spend much time and resources fighting development planning application proposals. This, together with the NPPF and the loss of detailed Green Belt guidance leads the Corporation to conclude that it would be appropriate at this time to investigate with the GLA the potential to strengthen its planning powers and specifically in relation to the Corporation's portfolio of open spaces which are of strategic importance to London as a whole.
36. The benefits of a strengthened strategic planning policy led approach would provide explicit guidance at the outset and may help to save time and resources in terms of the need for the Corporation to respond to each planning application proposal on a piecemeal basis. This would also ensure that local policies, including any area based policies, or Neighbourhood Plans, are also prepared in general conformity with those outlined in the London Plan.
37. These benefits would provide greater clarity in terms of the requirements for local development plan policies to be in general conformity with explicit policies to protect the Corporation's portfolio of open spaces. Whilst there would still be a need to work with local planning authorities in the development of their Local Plans and potential Neighbourhood Plans, this should reduce the amount of work required to ensure that the Corporation's open space interests are reflected.
38. Additionally a strengthened policy based approach would allow all of the Corporation's open spaces to be afforded protection at a strategic level to ensure that planning applications are managed consistently, the standards and criteria to which they should be considered are uniform and that there is greater accountability in terms of managing development proposals that affect these important open spaces.
39. Such a policy would establish clear links between the management of the open spaces and other London-wide issues such as planning, transport, tourism, the environment and leisure. In addition a strategic policy would

need to be carefully structured to recognise the individual character and importance for each of the open spaces.

Neighbourhood Forums and plans

40. Several Neighbourhood Forums are already in existence or will be shortly, for the reasons described above, it is not feasible given the current and reducing levels of staff resource to support or be directly involved in their work. However, in the short term, where specific issues are considered directly to impact on our open spaces, Superintendent's will determine whether it is appropriate to engage with a Forum. In the longer term, if further strategic policy could be achieved then it should reduce some of the requirement to engage in Neighbourhood Forums.

Proposals

41. A strategic planning policy with explicit reference to the Corporation's sites, with a stronger presumption in favour of protection of the open spaces and developments permitted only in exceptional circumstances, would allow staff to focus on the day to day management of the open spaces. Such a policy approach would play an important role in shaping the future of development around these spaces in a coherent and planned manner. This considered approach would be in contrast to the existing situation where the Corporation plays much more of a reactive role in responding to a multitude of development pressures.
42. It is important that a planning policy approach is decided upon which best reflects the needs of the Corporation, those who live in or adjacent to the open spaces and those who visit; by shaping development in a manner that improves the open spaces, has due regard to the protection of landscape features and habitats, conserves and enhances the natural beauty, wildlife and cultural heritage of each area.
43. To progress a strategic planning approach, it is proposed that officers meet with planning officers for the Greater London Authority to both review this report and consider the most appropriate way of amending existing policies in order to address the concerns raised in the report.
44. It is proposed that officers engage with All London Green Grid (ALGG) initiatives to identify ways in which greater recognition can be achieved for the Corporation's Open Spaces.
45. Further protection could be achieved by seeking Statutory Consultee status; this would take longer to achieve as it would require secondary legislation. Due to the potential resources required, it is suggested that this option is not progressed further at this time.

Corporate & Strategic Implications

46. Protecting the future of our Open Spaces supports the City Together Strategy theme ‘the Heart of a World Class City which protects, promotes and enhances our environment’. Likewise, the departmental Business Plan’s first strategic aim is to ‘provide safe, secure and accessible Open Spaces and services for the benefit of London and the nation’ and the second aim is to involve communities and partners in developing a sense of place through the care and management of our sites’.

Implications

47. The only financial implications are likely to be the need to retain the use of planning consultants to support this work, which will have to continue to be resourced from existing local risk budgets.

Conclusion

48. If it is possible to achieve a strengthened strategic policy, which explicitly refers to the Corporation’s open spaces, this could provide greater clarity and help ensure that any developments affecting these areas would be resisted.

Background Papers

Open Space Planning Strategy – Renaissance Planning August 2012

Appendices

Appendix 1 - Planning authorities and designations impacting on City of London Open Spaces.

Contact:

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Open Spaces Planning Strategy

Site	Size (ha)	Regional Authority	Regional Plan	Local Planning Authority	Designations
Ashtead Common	200	Surrey CC	n/a	Mole Valley DC	Green Belt, Public Open Space, National Nature Reserve, SSSI, Area for Special Historic & Landscape Value.
Burnham Beeches	220	Buckinghamshire CC	n/a	South Bucks DC	Ancient Woodland, Biodiversity Opportunity Area, Green Belt, National Nature Reserve, Special Area of Conservation, SSSI, 2 Scheduled Ancient Monuments (within).
City Gardens	32	GLA	London Plan 2011	City of London	Amenity Spaces, Churchyards and cemeteries, Civic Spaces, Public Open Space (various), Outdoor sports facilities, Registered Parks and Gardens of Special Historic Interest, Natural and semi natural Green Spaces, Provision for children and young people, ALGG Area 12.
Coulsdon Common	51	GLA/ Surrey CC	London Plan 2012/ n/a	LB Croydon/ Tandridge DC	Green Belt, Priority Archaeological Zone, Site of Nature Conservation Importance, Public Open Space, Woodland, ALGG Area 7.
Epping Forest	3,220	GLA/ Essex CC	London Plan 2011/ n/a	Epping Forest DC/ Redbridge BC/ Waltham Forest DC	Green Belt, Regional Park, Special Area of Conservation (SAC), UK BAP Priority Habitat, Forest Land, SSSI, Regionally Important Geological Site (RIGS), Register of Historic Parks & Gardens, Listed Buildings, Scheduled Monuments, Conservation Areas, Tree Preservation Orders (TPOs), ALGG Area 2.
Farthing Downs and New Hill	95	GLA	London Plan 2011	LB Croydon	Green Belt, Metropolitan Park, SSSI; Site of Nature Conservation Importance, Priority Archaeological Zone, Archaeological Sites of National Importance, Croydon Panoramas, local views, ALGG Area 7.
Hampstead Heath	320	GLA	London Plan –	LB	Metropolitan Open Land, Metropolitan Park, Parks and

			2011	Camden/ LB Barnet	gardens of special historic interest/ Heritage land, Sites of Metropolitan Importance for Nature Conservation, Sites of Nature Conservation Importance, SSSI, Conservation areas/ areas of special character, public open space, Scheduled Ancient Monuments, Archaeological priority areas.
Highgate Wood	28	GLA	London Plan 2011	LB Haringey	Ancient Woodland, Metropolitan Open Land, Site of Metropolitan Importance for Nature Conservation, Ecologically Valuable Site, Heritage Land, Conservation Area.
Kenley Common	56	GLA	London Plan 2011	LB Croydon/ Tanridge DC	Green Belt, Archaeological Priority Zones, Scheduled Monument, Site of Nature Conservation Importance, Conservation Areas, Archaeological Sites of National Importance, ALGG Area 7.
Queen's Park	12	GLA	London Plan 2011	LB Brent	Open Space in Conservation Area, Public Park, Woodland, recreational space, ALGG Area 12.
Riddlesdown	43	GLA	London Plan 2011	LB Croydon	Green Belt, Archaeological Priority Zone, SSSI, Site of Nature Conservation Importance, London Outer Orbital Path, ALGG Area 7.
Spring Park	21	GLA	London Plan 2011	LB Bromley	Green Belt, Woodland, Development and Nature Conservation Site ALGG Area 7.
Stoke Common	80	Buckinghamshire CC	n/a	South Bucks DC	Green Belt, Ancient Woodland, Heathland, Biodiversity Opportunity Area, Special Area of Conservation, SSSI.
West Ham Park	31	GLA	London Plan 2011	LB Newham	Green Space to be protected, Public Open Space, Green Chain, Nature Conservation, ALGG Area 2.
West Wickham Common	10	GLA	London Plan 2011	LB Bromley	Green Belt, Areas and Sites of Archaeological Significance, Ancient Monuments and Archaeology, Development and Nature Conservation Site, ALGG Area 7.
Total	4,419				

Committees:	Dates:
Culture Heritage & Libraries Streets & Walkways Open Spaces, City Gardens & West Ham Park (for information only)	Urgency Urgency 8 October 2012
Subject: Robert Hooke Bell	Public
Report of: Town Clerk	For Information

Summary

The City has received an application to install the Robert Hooke Bell immediately outside the south gate of St Paul’s garden for a period of six months. Officers have confirmed that this location is suitable.

In view of the suitability of the location, the City connection and the “enlivening” role played by art installations, it is recommended that the application be approved.

Recommendations

- It is recommended that the Culture, Heritage & Libraries and Streets & Walkways Committees, subject to planning permission being granted, approve the installation of the Robert Hooke Bell immediately outside the south gate of St Paul’s garden for a period of six months, commencing in November.

Main Report

Background

1. Representatives of the MEMO project have approached the City to request that a scale model of the Robert Hooke Bell be placed immediately outside the south gate of St Paul’s garden for a period of six months. The location is illustrated at appendix 1.



The MEMO Project

2. Although the City is only considering the temporary installation of the Robert Hooke Bell, some further context on the MEMO project is provided:
 - a. MEMO is an educational charity dedicated to building a biodiversity education centre which forms the heart of a £20 Million pound regeneration project in Dorset, designed to emulate the success of the Eden Project in Cornwall.
 - b. Full planning permission has already been given to build MEMO on the Isle of Portland on the south coast of Britain, overlooking the UNESCO World Heritage Site of the Jurassic Coast.
 - c. There are a range of high profile and respected supporters including the Royal Society. HRH The Duke of Edinburgh is the Patron.

The Bell

3. The Bell will be 1.2m in diameter and 1.1m high. The bell itself will be cast in a carved Portland stone mould, which means that outside of the bell has taken on the texture of the fossil imprints left within the stone. It will be mounted on a plinth which is 0.75m x 0.75m and 0.4m high. It will weigh just less than 1.25 tonnes. Officers have confirmed that the location is suitable for this loading.
4. It is proposed that the Bell be installed in early November. The project organisers would like the Bell to be in place in time for a visit from a party of American sponsors and reception at Buckingham Palace on 12 November 2012.

Connection to the City

5. The City location is felt to be appropriate due to the various connections between the installation and the City:
 - a. Robert Hooke was Surveyor to the City of London at the time of the Great Fire. It was as a result of examining Portland stone damaged by the fire that the theory of evolving/disappearing species occurred to him. He was also a collaborator of Wren's in building St. Paul's Cathedral.
 - b. The bell has been cast in a carved Portland stone mould, meaning that the outside of the bell has taken on the texture of the fossil imprints left within the Portland stone – something all City workers

are familiar with as it is one of the most commonly used building materials in the Square Mile (e.g. Guildhall Yard east).

- c. The final Portland bell (for which this bell was the test piece) will be cast within the original cast iron 'flask' that yielded "Great Paul", the bell housed in the steeple of St Paul's and the largest ever cast in the UK. It is this final piece that will reside at the main project site in Dorset
6. St Paul's Cathedral have been consulted and are supportive. They have involved in the MEMO project for several years and have hosted other art pieces connected with the project within the Cathedral grounds. The Bishop of London is also a supporter.
7. Public art plays an important role in enlivening the City streets and the cultural offer of the City generally. This is discussed both within the current City Cultural Strategy, and the new strategy which will be presented to the Court of Common Council in October. The City Arts Initiative was established by the Policy & Resources Committee in order to promote public art within the City and to clarify decision making processes.

Current Position

8. The application was first considered by the City Arts Initiative who recommended the installation to the Culture, Heritage & Libraries Committee, subject to planning permission and appropriate highways consents. At its July meeting, the Culture, Heritage & Libraries Committee requested further information and this has been provided to the Committee over email. Due to the timescales involved in project, it is proposed that the Culture, Heritage & Libraries Committee approves the project under urgency procedures as they will not now be meeting until 22 October.
9. It has been confirmed that the installation will require planning permission. As the application is in line with planning policies, it is anticipated that subject to the statutory consultation requirements, the application will be determined under the City Planning Officer's delegated powers.
10. Due to the location of the Bell immediately outside the south gate of St Paul's garden, permission is also sought from your Committee.

Options

11. The options available to your Committee are to approve the application to place the Robert Hooke Bell immediately outside the south gate of St Paul's Garden for a period of six months, subject to planning permission and the approval of the Culture, Heritage & Libraries Committee, or to refuse the application.

Proposals

12. It is recommended that the application to place the Robert Hooke Bell immediately outside the south gate of St Paul's Garden for a period of six months is approved, subject to planning permission.

Corporate & Strategic Implications

13. Public art and its role in enlivening the City streets features in the current Cultural Strategy and the new strategy to be presented at the Court of Common Council in October.

Implications

14. The MEMO project will fund the installation of the piece and the necessary insurance.
15. The City Gardens team will be responsible for cleansing of the installation, the cost of which will be contained within existing resources as the area is regularly cleaned as part of day to day operations. The bell will be drilled at the bottom to ensure that it does not fill up with rainwater.
16. Engineers & Highways are happy with the preferred location and issues related to delivery access and load-bearing have been resolved. Officers will arrange highways dispensation or delivery and the City Gardens team will provide protective boards for the footway. It has been confirmed that the installation will not impact on the Lord Mayor's Show.

Conclusion

17. It is recommended that the application be approved subject to planning permission.

Background Papers:

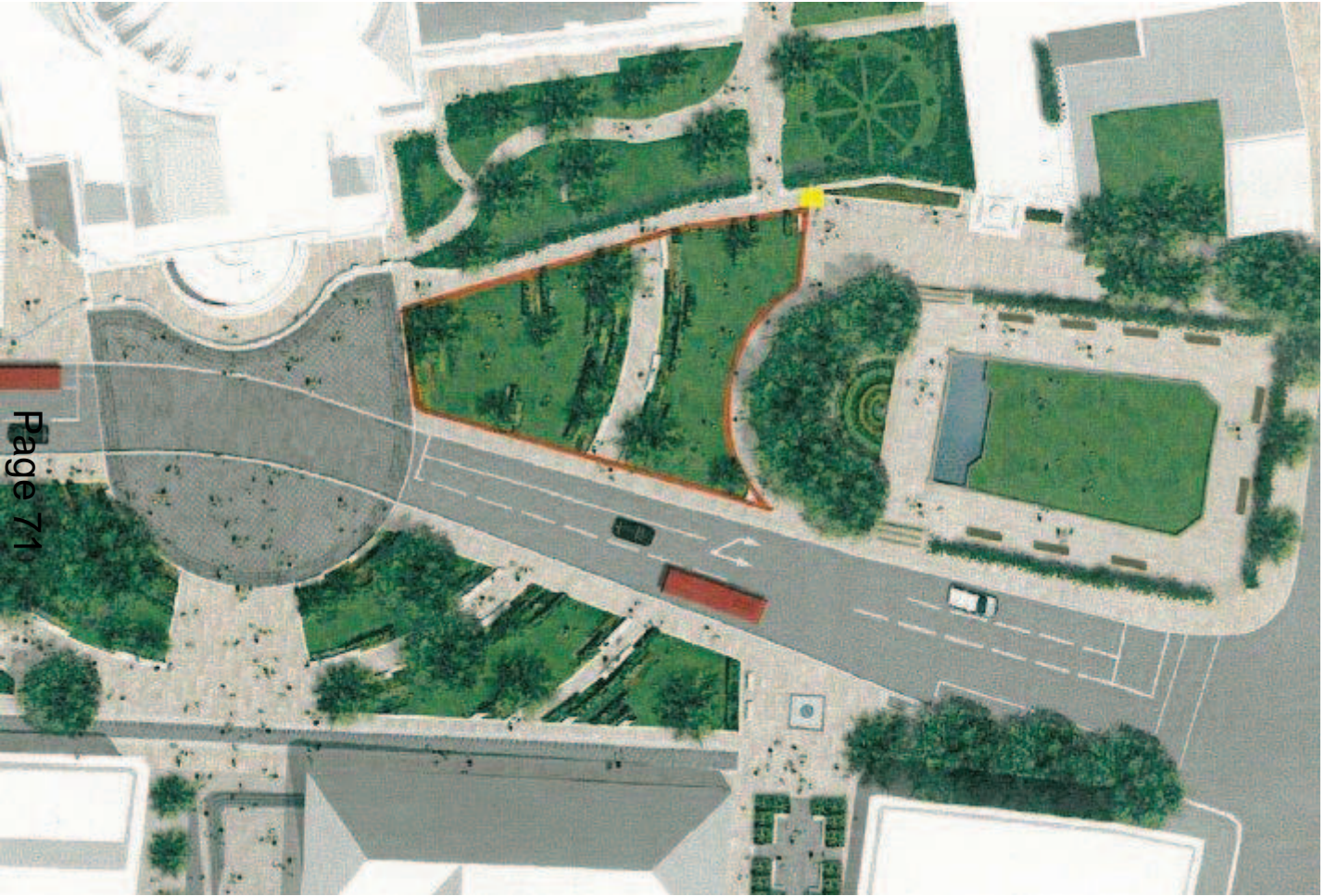
Application form submitted to the City Arts Initiative

Appendices:

Location map

Contact:

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Committee(s):	Date(s):
Open Spaces, City Gardens and West Ham Park Committee	8 October 2012
Subject: Litter Management in the City's Open Spaces	Public
Report of: Director of Open Spaces	For Decision

Summary

The processing of waste across the Open Spaces Department takes up significant resources both in terms of labour and disposal costs. To see if it is possible to reduce this cost within the City open spaces and to contribute to increasing the City Corporation's recycling rates, the City Gardens section propose to undertake a trial for one year, replacing all current bins with a type that accepts only mixed recyclables. To ensure that this does not have an adverse impact on our service or on cleansing services for the City's streets, detailed data will be collected and analysed so that progress can be monitored throughout the trial period.

To ensure that the evidence collected is comparable with previous years, the trial will run from January to December 2013.

Recommendations

It is recommended that:

- Preferred option 5 is implemented and that all 27 'blast-proof' bins within the City's open spaces are replaced with recycling bins of the brand already used by Cleansing Services;
- I report back to this Committee in early 2014 with the results of the trial.

Main Report

Background

1. At a meeting of this Committee on 11 October 2011, a presentation was given on the problems and costs associated with litter collection and removal around the department's open spaces. Following discussion it was agreed that the City Gardens section should trial an alternative approach to waste management in its gardens within the Square Mile. This report was deferred until after the Olympic and Paralympic Games so that the results of the trial would not be skewed by increased visitor numbers.
2. The City Gardens team already has experience of managing a completely bin-free environment; in the 1980's, as a result of terrorist activity, nearly 1000 cast iron litter bins were removed from the City. A relaxation in the

security threat to the City led to the Security & Contingency Planning team, in consultation with the Police, allowing for the re-introduction of bins in the Square Mile. The caveat was that bins had to be of a blast resistant construction and that City Gardens had to be able to remove and store bins within a 48 hour period of the Police issuing such an instruction.

3. Cleansing services currently provides some 40 on-street litter bins at 27 different locations across the City. These have been chosen as places where people tend to gather or sit. In 2010, the Director of Environmental Services produced a report on litter bin provision for the Port Health & Environmental Services Committee. The trial undertaken as part of the report has led to the adoption of Cleansing’s current policy which is that additional litter bins will not be installed on the City Streets other than at locations where people gather (e.g. around seating or near green spaces) and even then only after a trial period has demonstrated that litter bin provision has had a positive impact on the local environment.

Current Position

4. Litter collection and disposal is a major part of the service that we provide. There are currently 27 bins located across 16 of the City Gardens’ sites (see Appendix 1 for locations). The table below shows the cost of disposal of the various waste streams to the City Gardens local risk budget for the years 2010-2012:

	2010/11		2011/12	
	Weight (tonnes)	Cost (£)	Weight (tonnes)	Cost (£)
Non-recyclable	401.43	33,382*	404.29	58,092*
Mixed recyclable	5.64	380	2.36	182
Green waste	20.92	1,193	34.46	2,058
Total	427.99	34,955	441.11	60,332

* Disposal costs almost doubled between 2010 and 2011 due to the closure of the landfill site at Mucking, Essex

Table 1 – waste tipping volumes and charges 2010-2012

5. There is also a cost associated with keeping these clean (washed-down once per week or on an ‘as needs’ basis) and re-securing the bins in the event of vandalism. The cost of cleaning is approximately £4,228 per annum, and to reinstate a bin costs approximately £50 per occasion.
6. In 2008, again under the agreement of the Security and Contingency Planning Officer and in liaison with the Police, the advice on types of

bins was downgraded and instead of blast resistant bins being required, other bins were also acceptable providing that they were of a design and made of a material that did not exacerbate an explosion should this occur. Therefore there is much greater freedom to find a new design of recycling bin that is better fit for purpose. This is beneficial as to replace one of the blast proof bins at the end of its useful life costs £2,500 per unit, where as other brands can now be purchased at a much more reasonable cost (£400-£500 per unit).

7. During the summer months at the City’s two busiest gardens – St. Paul’s Churchyard and Finsbury Circus – a member of staff is specifically assigned to emptying bins between the core lunchtime hours of 12pm to 2pm. This equates to approximately 160 hours just removing the summer lunch litter at these two sites, at a cost of £2,890 per year.
8. As can be seen from Table 1, by far the biggest cost is disposing of the waste itself. In 2011, City Gardens spent over £58,000 (excluding green waste) of its City Fund local risk budget on the disposal of waste, which equates to 5.4% of the net spend. In light of the recent 12.5% budget reduction, and with further reductions to come, this is clearly not sustainable and remains a key area under scrutiny with a view to further reducing expenditure. The current cost of the different waste streams is set out in Table 2 below:

Waste Stream	Cost per tonne (£)
Non-recyclable	£150.87
Mixed recyclable	£81.12
Uncontaminated green waste	£62.33

Table 2 – waste stream charges per tonne

9. From the table it is clear to see that one way of reducing costs would be to increase the amount of recycling. Although recycling bins have been trialled in the past in some gardens, success has been limited due to the amount of contamination of waste (public putting the wrong items in the wrong bins) leading to entire loads being refused at the City’s Materials Recycling Facility (MRF) at Walbrook Wharf. This was predominantly due to poor design.
10. Some success has been achieved through the ‘two-bag’ method of litter picking; staff take 2 bags out with them when cleansing – one for mixed recyclables and one for non-recyclables. However as can be seen from Table 1, this has limited potential and needs to be used in conjunction with other recycling methods.

11. The design of recycling bins has greatly improved over the years and these are now available with reduced and variable apertures. Cleansing Services have undertaken research on this issue and have found that the Envirobank 140L is both the most acceptable aesthetically and the most successful at reducing contamination. These cost £429 per unit.
12. This report does not address green waste disposal which is composted outside of the City and not currently an issue for the City Gardens team.

Options

13. **Option 1** - remove all 27 blast proof bins from the City Gardens and place them in storage for a trial period of 1 year, with the aim of reducing the amount of litter deposited in gardens and improving recycling rates through the two-bag litter picking method. With no alternative place to leave litter there is a clear risk that users will merely deposit their litter in an on-street bin that is emptied by the Cleansing Services in the Department of the Built Environment (DBE), thereby displacing the problem - and cost - onto another department.
14. This option also conflicts with the recommendation of the 2010 Cleansing report (see paragraph 3 above). This is therefore not the recommended option.
15. **Option 2** – enter into an agreement with Cleansing Services to arrange for City Gardens’ bins to be emptied by Enterprise, the Cleansing term-contractor. Although this could be achieved either through an inter-departmental recharge or by a transfer of budget from Open Spaces to DBE, the substantial cost (circa £55,000 per annum) on top of the recent budget reductions would, in all likelihood, mean a reduction in the number of staff in the City Gardens team. Also, this option does not address the other key objective which is to increase recycling rates within the City Corporation. Option 2 is therefore not the recommended option.
16. **Option 3** – to replace all existing bins with *Renew* recycling bins. *Renew* are the company responsible for installing the large, rectangular on-street recycling units that have media screens on each end panel. Although *Renew* install these at no cost, they only place the bins where there is a high pedestrian footfall and a readily-available supply of electricity. Although gardens like St Paul’s and Finsbury are of some interest to *Renew* other, quieter gardens are not. Also, the appropriateness of a media screen in a garden where people go for peace and tranquillity can be questioned. Option 3 is therefore not recommended.
17. **Option 4** – remove bins from one garden, or a group of smaller gardens, and replace these with recycling bins to act as a trial area that could be closely monitored to ascertain impact before rolling out City-wide.

Although this may seem the most sensible approach, work undertaken by Cleansing Services has already demonstrated that there is a desire among City workers and visitors to use recycling facilities where provided. In light of this evidence we can feel confident that this project on any scale would be supported. However this option would not recognise the scale of savings necessary in the timeframe required. This is therefore not the recommended option.

18. **Option 5** – remove all 27 ‘blast-proof’ bins from the City Gardens and replace them with Envirobank 140L recycling bins. A waste audit has been undertaken of the contents of the garden bins and this has shown that contamination levels are currently around 10-15%. This demonstrates that contamination is already approaching a level that is acceptable to the MRF (tolerance <5% contamination).
19. The majority of our users display a responsible attitude in not dropping litter instead preferring to recycle or to take their litter back to their offices. By offering them a recycling option that reduces the likelihood of contamination, it should be possible to increase recycling rates.
20. Furthermore, it is possible to generate income from recycled materials, assuming they are of a sufficient quality. Although this would be a welcome source of income to help offset expenditure, this cannot be relied upon as reclamation costs vary and are entirely dependent on market demand for recycled materials. What is clear is that this option will help reduce City Gardens’ waste handling fees without the need to increase the labour resource on the ground. It will also contribute toward achieving the City Corporation’s recycling target (40% of total waste). Option 5 is therefore the recommended option.

Proposal

21. It is proposed that all 27 existing City Gardens’ litter bins are placed in storage from January 2013 for 12 months.
22. The key to making this trial a success is to ensure that the garden users understand what we are trying to achieve and why. Therefore, from November 2012 onward we will:
 - Implement an educational poster campaign. A range of posters will be displayed on noticeboards, at garden entrances, on City Gardens’ fleet vehicles and distributed to local businesses. These will be both positive – explaining the costs to the City and what we are trying to achieve – as well as illustrating the punitive measures available to the City through enforcement (akin to the ‘no ifs, no butts’ campaign undertaken by Cleansing Services).

- Hold team briefings to ensure that staff are able to communicate the corporate message. A list of frequently asked questions (FAQs) will be drawn up and set responses provided to staff and for posting on our web pages. Providing staff with the customer-handling techniques and positive FAQ responses to any negative comments they may have levelled at them will be key to ensuring that they are suitably equipped to provide measured and professional responses.
- Starting immediately, spread the message through our web pages, 'What's New' newsletter and dissemination to our contacts list, friends groups, St Paul's Cathedral, Churches and volunteers in order to foster positive engagement.
- Emphasize the advantages of the proposal to the public, i.e. increased recycling will mean greater savings that will be spent on garden improvements.
- Continue to engage with Cleansing Services to support them in an enforcement campaign and monitor recycling rates.

23. Investment in research and development is resulting in rapidly changing technology in this field. Whilst this report was being written, Cleansing Services have found and are trialling a new recycling bin, the "Big Belly". Big Belly is a solar-powered mini-compact, similar in size to the blast-proof bin but able to contain 4 times as much waste. It also contains a chip that emails City Corporation officers when it reaches 80% capacity, enabling Cleansing Services to empty the bin before it overflows. In working closely with the Cleansing team, it is proposed to incorporate new developments in technology into the City Gardens trial, and report the findings to this Committee upon the conclusion of the trial.

Corporate & Strategic Implications

24. The proposal outlined in this report supports key objectives within the Municipal Waste Strategy for the City of London 2008-2020, notably:

- To minimise the amount of waste produced in the City through education and awareness raising;
- To maximise on street recycling.

25. The proposal also supports key objectives within the Open Spaces Department Business Plan 2012-2015:

- Under *Quality* – achieve nationally recognised standards and deliver value for money in providing our Open Space service;
- Under *Environment* – ensure that measures to promote sustainability, biodiversity and heritage are embedded in the Department's work.

Financial Implications

26. Washing-down and maintenance costs of any new bins will remain broadly in line with current expenditure. However the preferred option does require a one-off capital investment of £11,583. It is proposed that this be funded from City Gardens' local risk revenue budget.
27. Assuming the proposal is able to produce an increase in recycled waste of 50%, the projected savings from this option would be £13,800 ongoing, meaning that the project would be self-financing within one year. However it is recognised that any saving in real terms will reduce over time as waste handling costs continue to rise.

Other Implications

28. In order to avoid the risk of displacement, i.e. inadvertently causing an increase in waste placed in on-street bins managed by Cleansing Services, or 'abandonment' of litter in and around the gardens, we will be undertaking a coordinated approach to litter management throughout the trial period, closely monitoring any fluctuations in the waste figures of both departments.
29. DBE is also currently seeking ways in which to increase the City Corporation's recycling rates, with which this project should assist.
30. There is also a potential risk to the City's reputation should the project fail; increased amounts of 'abandoned' litter creating additional pressure on resources to clear the gardens within a reasonable timeframe. Increased site checks and waste monitoring will seek to minimise this risk.
31. If the trial proves unsuccessful and we are not able to reduce contamination of recyclables to an acceptable level, traditional litter bins will have to be reinstated in the gardens and waste disposal would continue to be a substantial burden on City Gardens' resources and alternative future savings would need to be investigated.

Conclusion

32. Litter collection and disposal takes up a significant resource within the Open Spaces department. In order to see if this can be reduced without impacting on other departments, and to help increase recycling rates, the City Gardens team will trial the replacement of all existing litter bins with recycling bins over the course of a year, gathering data in order to enable like for like comparison with previous years. The results of this trial will then be reported back to this Committee along with cost savings and any lessons learned.

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Background Papers

Report to Port Health and Environmental Services Committee 21 September 2010

Appendices

Appendix 1 – Schedule of litter bin locations within City Gardens’ sites

APPENDIX 1**Litter Bin Locations within the City’s Open Spaces**

Garden	Number of litter bins
Dunstan’s in-the-East	2
Seething Lane Garden	1
Portsoken Street Garden	2
St Magnus the Martyr	1
Postman’s Park	2
St Paul’s Cathedral	3
West Smithfield Rotunda Garden	1
St Bride’s, Fleet Street	2
St Dunstan’s in-the-West	1
St Andrew’s Garden, Holborn	1
Finsbury Circus	5
Christchurch Greyfriars West	1
St Botolph’s without Bishopsgate (garden)	1
St Peter’s Westcheap	2
Barber Surgeons Garden	1
Jubilee Garden	1
Total	27

Committee(s):	Date(s):
Open Spaces, City Gardens & West Ham Park Committee (for decision)	8 October 2012
Streets & Walkways Sub-Committee (for information)	15 October 2012
Subject: Queen Elizabeth II Fields	Public
Report of: Director of Open Spaces	For Decision
Ward (if appropriate): Castle Baynard	

Summary

This report provides an update to an earlier report agreed by your Committee on 6 February 2012. In response to the Queen Elizabeth II Fields Challenge, the current flagship project of Fields in Trust, the City Corporation has dedicated two gardens, Tower Hill and the new green space on the former coach park of St Paul's Cathedral, as Queen Elizabeth II Fields. The latter has been named The Queen's Diamond Jubilee Garden in recognition of Her Majesty's Jubilee year celebrations. Tower Hill Garden has attracted grant funding of £10,000 from the London Legacy Fund toward site improvements.

In order to formally celebrate the naming of The Queen's Diamond Jubilee Garden, it is proposed that officers continue to seek ways of funding an unveiling ceremony, either by identifying a specific budget or by linking with another formal event in the immediate area.

Recommendations

It is recommended that:

- the new garden on the site of St Paul's Cathedral coach park is recognised as The Queen's Diamond Jubilee Garden;
- it is noted that The Queen's Diamond Jubilee Garden and Tower Hill Garden have been dedicated as Queen Elizabeth II Fields;
- you agree that officers should continue to pursue opportunities for recognising The Queen's Diamond Jubilee Garden through an unveiling ceremony (or similar) and potential sources of funding identified in conjunction with the Chamberlain.

Main Report

Background

1. At a meeting of your Committee on 6 February 2012, it was agreed that the new garden at St Paul's Cathedral coach park and the existing, but newly refurbished, garden space at Tower Hill should be dedicated as part

of the Queen Elizabeth II Fields Challenge, a scheme that seeks to safeguard recreational spaces across the country as a legacy to celebrate the Queen's Diamond Jubilee and the London 2012 Olympic and Paralympic Games. The Challenge is the current flagship project of Fields in Trust (FiT), one of the charities benefiting from the Lord Mayor's Appeal.

2. Following your agreement at the 6 February meeting, the Deeds of Dedication for both sites were completed and the appropriate forms were returned to the Land Registry, ensuring that these two gardens will be protected in perpetuity.
3. Following consultation with Buckingham Palace, the Cabinet Office and Mansion House, it was agreed that the most fitting name for the new garden south of St Paul's Cathedral was The Queen's Diamond Jubilee Garden.
4. There is a statutory process for the naming and numbering of City streets and spaces, a process which is administered by the Planning team. The necessary consultation was undertaken with the emergency services and a public notice was placed on site for 4 weeks. No objections were received.
5. Enquiries were made to see whether it was possible for the new garden to be officially opened by Her Majesty the Queen, as part of Her Jubilee Year celebrations. Unfortunately Buckingham Palace advised that, due to existing diary commitments, this was not possible.

Current Position

6. Two metal plaques are being provided by FiT in recognition of their Queen Elizabeth II Fields Challenge. An image of what these will look like is attached at Appendix 1. The cost of installing these will be met from your City Gardens local risk budget.
7. A grant was applied for under the London Legacy Fund (available as part of the Queen Elizabeth II Fields Challenge) for improvements to Tower Hill Garden. Notification was received in September confirming that our bid had been successful, and that FiT will provide a grant award of £10,000 to the City Corporation for the thickening of the boundary hedge, lawn reinforcement and natural play equipment at Tower Hill Garden. These improvements will be implemented by the City Gardens Team working with local community volunteers. The grant will be spent in conjunction with Local Area Agreement funding of £5,900 for bulb planting at the same site. All work will be completed by the end of March 2013.

8. An approach has been made through the City Arts Initiative and The Culture, Heritage and Libraries Committee, to place the Hooke Bell - a temporary art installation - immediately adjacent to The Queen's Diamond Jubilee Garden for 6 months. The background to this project is covered in a separate report on your agenda. The art installation is part of a much larger project that has attracted high-profile fund-raising.

Proposals

9. Officers have been investigating alternative ways of recognising the establishment and naming of the new Queen's Diamond Jubilee Garden. The traditional way to recognise this would be through an opening or unveiling ceremony, once the new plaques have been installed. However, unless separate funding can be identified, the only way to achieve this would be by linking the opening ceremony with another event.
10. Should the proposal for the Hooke Bell installation be successful, there may be an opportunity to attract a senior member of the Royal family to the site. It may then be possible to link the opening ceremony of the garden with the launch of this project, subject to negotiation.
11. Should this not be possible, an alternative would be to ask the Lord Mayor to unveil the plaque at this year's Christmas tree lighting ceremony (scheduled for 3 December).

Corporate & Strategic Implications

12. Protecting the City Corporation's recreational spaces for the benefit of residents, visitors and workers, maximising the benefits of the Olympics and supporting a national campaign to safeguard open spaces is in keeping with the Corporate Plan and Open Spaces Business Plan. Increasing the amount of publicly-accessible open space is a key objective of the City of London Open Space Strategy.

Financial Implications

13. If the option of recognising the garden with an official opening ceremony is thought to be beneficial, then any necessary financial provision will need to be identified and sought in consultation with the Chamberlain.
14. The cost of erecting plaques at The Queen's Diamond Jubilee Garden and Tower Hill Garden will be approximately £75 and £50 respectively (the difference reflects the additional work needed to accommodate a plaque at the former). These costs would be met from City Gardens local risk budgets.

Legal Implications

15. The Deeds of Dedication were completed on 8 August 2012 and are in the process of being registered with the Land Registry. They restrict the use of the sites to the purposes specified. They also restrict the disposal

of a site, other than as part of an exchange of land that is acceptable to FiT.

Conclusion

16. In response to a national campaign by Fields in Trust, the City Corporation has dedicated two public spaces as Queen Elizabeth II Fields in celebration of Her Majesty's Diamond Jubilee and the London 2012 Olympic and Paralympic Games, ensuring that these two gardens will be protected in perpetuity.
17. One of these sites, formerly the coach park for St Paul's Cathedral, has been named The Queen's Diamond Jubilee Garden. Whilst it would be desirable to recognise this with a formal unveiling ceremony, a way of delivering this has yet to be identified.

Background Papers:

Open Spaces, City Gardens & West Ham Park Committee report: Queen Elizabeth II Fields Challenge dated 6 February 2012

Appendices

Appendix 1 – Queen Elizabeth II Fields Challenge commemorative plaque (image)

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QUEEN ELIZABETH II



DIAMOND JUBILEE
2012
FIELDS IN TRUST

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Agenda Item 16

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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