

HAMPSTEAD HEATH, HIGHGATE WOOD AND QUEEN'S PARK COMMITTEE
Thursday, 9 May 2013

Minutes of the meeting of the Hampstead Heath, Highgate Wood and Queen's Park
Committee held at Committee Rooms, 2nd Floor, West Wing, Guildhall on Thursday,
9 May 2013 at 11.00 am

Present

Members:

Deputy John Barker
Revd Dr Martin Dudley
Professor John Lumley
Barbara Newman
Deputy John Owen-Ward
Virginia Rounding
Jeremy Simons
Tom Sleigh
Deputy Michael Welbank
Alderman Robert Hall (Ex-Officio Member) (In the Chair)
Councillor Melvin Cohen
Councillor Sally Gimson
Tony Ghilchik
Maija Roberts

Officers:

Jacky Compton	- Committee and Member Services Officer
Alistair MacLellan	- Committee and Member Services Officer
Esther Sumner	- Policy Officer, Town Clerk's Department
Simon Lee	- Superintendent of Hampstead Heath
Andrew Cotton	- City Surveyor's Department
Paul Monaghan	- City Surveyor's Department
Jennifer Wood	- City Surveyor's Department
Alison Elam	- Chamberlain's Department
Sue Ireland	- Director of Open Spaces
Edward Wood	- Comptroller and City Solicitor's Department

1. APOLOGIES

Apologies were received from Karina Dostalova, Clare James and Martyn Foster.

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

There were no declarations.

3. **ORDERS OF THE COURT OF COMMON COUNCIL, 25 APRIL 2013**
The tabled amended Orders of the Court of Common Council, 25 April 2013 appointing the Committee and approving the Committee's Terms of Reference, were noted.

4. **ELECTION OF CHAIRMAN**
The Committee proceeded to elect a Chairman pursuant to Standing Order No. 29. The Town Clerk read out a list of Members eligible to be the Chairman. Jeremy Simons indicated his willingness to serve if elected. As Jeremy Simons was the only Member who had indicated his willingness to serve, he was duly declared to be elected Chairman and took the Chair for the ensuing year.

5. **ELECTION OF DEPUTY CHAIRMAN**
The Committee proceeded to elect a Deputy Chairman pursuant to Standing Order No. 30. The Town Clerk read out a list of Members eligible to be Deputy Chairman. As Virginia Rounding was the only Member who had indicated her willingness to serve, she was duly declared to be elected Deputy Chairman for the ensuing year.

The Chairman welcomed the new Members to their first meeting of the Committee and also bid farewell to Alderman Simon Walsh who had not stood for re-election in April 2013. The Chairman advised the Committee that he would write to Alderman Walsh and thank him for his service to the Committee.

The Chairman also wished to thank Esther Sumner for her briefing note to new Members of the Committee and said that he hoped new Members would be available to take part in the next Hampstead Heath site visit the following week.

6. **MINUTES**
The public minutes and summary of the meeting held on 15 April 2013 were approved as a correct record.

Matters Arising

Photovoltaic at Highgate Wood Machine Shed (page 7) – 3rd line should read machine shed in the Depot and not Depart.

Oak Processionary Moth (OPM) (page 8) – The Director of Open Spaces advised the Committee that a ministerial statement was expected imminently on the level of funding being made available from central government to tackle OPM this year. She stated that it is expected that the funding will total between £1.5-2 million. The Director concluded by advising that other than three oaks that were inaccessible, an inspection of oak trees within the Square Mile had not found any evidence for OPM.

7. **2013/14 COMMITTEE APPOINTMENTS**

The Committee considered a report of the Town Clerk regarding the Committee's annual appointments to the various Consultative Committees.

RESOLVED: - That

a) the appointment and composition of the following bodies be endorsed as follows for the ensuing year:-

i) **Hampstead Heath Consultative Committee**

City Members:

Jeremy Simons (Chairman)

Virginia Rounding (Deputy Chairman)

ii) **Highgate Wood Joint Consultative Committee**

City Members:

Jeremy Simons (Chairman)

Virginia Rounding (Deputy Chairman)

Dennis Cotgrove

Barbara Newman

Vacancy – to be considered at a future meeting.

iii) **Queen's Park Joint Consultative Group**

City Members:

Jeremy Simons (Chairman)

Virginia Rounding (Deputy Chairman)

Dennis Cotgrove

Barbara Newman

Vacancy – to be considered at a future meeting.

b) Tony Ghilchik be appointed as the local representative to the Open Spaces and City Gardens Committee for the ensuing year.

8. **HAMPSTEAD HEATH PONDS PROJECT - ASSESSMENT OF THE DESIGN FLOOD**

The Committee considered a report of the Superintendent of Hampstead Heath setting out the results on the first major task undertaken by the Design Team in relation to the Hampstead Heath Ponds Project.

The Superintendent outlined that there were currently three reservoirs under the Reservoirs Act 1975 that were deemed Category A in terms of risk they presented to communities downstream, he also advised on the issues arising from the new Flood and Water Management Act 2010 (FWA) and the effect these would have on the City of London Corporation. He advised that it is likely that the Department for the Environment, Food and Rural Affairs (DEFRA) will issue guidelines in response to the FWA that would apply the highest category of risk to potential dam failures from ten lives at risk to one life at risk. This means that the Hampstead Ponds would likely to be reclassified under the new regime as Priority 1 reservoirs. Regardless of legislation and given the

knowledge of the impact of extreme rainfall events on the whole cascades of ponds, the City had a duty to undertake mitigation works.

The Superintendent advised that the ponds were classified as a 'Red Risk' on the Corporate Strategic Risk Register, for which the City of London Corporation, as the landowner, is responsible. Assessments have revealed that the Hampstead & Highgate chains of ponds do not have sufficient "spillway" capacity to deal with extraordinary or sustained storm events. The most recent hydrology study by Atkins, utilising industry best practice guidance, has established that the design flood which must be passed safely by the dams is 30-50% lower than previously estimated by Haycock, but that dam failure in the event of extraordinary or sustained storm events nonetheless remains a significant risk. This risk has to be addressed so that the City Corporation fulfils its duty of care to communities downstream. The design standards laid down by the Institution of Civil Engineers require that the City "virtually eliminates" the risk of dam failure, however, water may pass through the chain of ponds and has to be received by landowners downstream.

In response to a question from a Member, the Superintendent confirmed that the Heath foundation legislation, the Hampstead Heath Act 1871, and the requirement to "preserve as far as maybe the natural aspect" of the Heath was integral to the project. Balancing the needs of safety whilst mitigating the impact on the landscape were core issues that had to be addressed through the design process.

The representative of the Heath and Hampstead Society stated that the Society had concerns over how work on the dams would affect and impact upon the character of the Heath, it was hoped that Judicial Review could be avoided.

In response to a question from a Member, the representative of the Heath and Hampstead Society confirmed that the Society was happy with the level of consultation and engagement carried out by the City of London Corporation to date, and their main concerns were over the final design solutions of the Ponds Project and impact on the Heath.

The Superintendent reminded the Committee that the City of London Corporation had to proceed with due diligence to ensure the risk posed by the dams was managed appropriately, and that in turn he was aware that the Ponds Project Stakeholder group had expressed some concern at what they felt to be the relatively short duration of the next stage of the project.

The Chairman stated that a longer consultation process was planned and that would involve the independent Strategic Landscape Architect Peter Wilder. The Superintendent advised that Mr Wilder sits outside of the Ponds Project Design Team to act as a 'champion of the landscape', representing the views of the Stakeholder and community on the landscape impact of potential design solutions.

In response to a question from a Member, the City Surveyor confirmed that the City of London Corporation was liable for both additional flood water arising

from any failure of a dam and for the deliberate or accidental release of water from the Ponds. He also confirmed that current assessments take into account climate change as the design options need to cater for the “Probable Maximum Flood” which represents the maximum water the atmosphere could release,.

RESOLVED: That:

Members receive the Design Flood Assessment report and endorse it as the basis for the continuation of the Hampstead Heath Ponds Project and development of the preferred design options that will be subject to wide public consultation later in the year.

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

There were no questions.

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

The Chairman advised the Committee of the following events that would be taking place on the Heath in June:

8 June – City Dip and that the Lord Mayor and the Sheriffs would be in attendance;

9 June – Tug of War

12-16 June – Affordable Art Fair

30 June – City of London Festival Irish Roots Day

11. **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:-

Item No.

12-18

Paragraphs in Schedule 12A

3

12. **NON-PUBLIC MINUTES**

The Committee approved the non-public minutes of the meeting held on 15 April 2013 as a correct record.

13. **GOLDERS HILL PARK CAFE - LEASE RENEWAL**

The Committee considered a report of the City Surveyor relative to a lease renewal for Golders Hill Park Café.

14. **HIGHGATE WOOD CAFE - LEASE RENEWAL**
The Committee considered a report of the City Surveyor relative to a lease renewal for Highgate Wood Café.

15. **PARLIAMENT HILL CAFE - LEASE RENEWAL**
The Committee considered a report of the City Surveyor relative to a lease renewal for Parliament Hill Café.

16. **QUEEN'S PARK CAFE - LEASE RENEWAL**
The Committee considered a report of the City Surveyor relative to a lease renewal for Queen's Park Café.

17. **QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**
There were no questions.

18. **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 12.10pm

Chairman

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