

## **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 the issues arising from the 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 apply the highest category of risk to potential dam failures that endanger one human life. This means that the Hampstead Ponds are now a Corporate 'Red Risk' for which the City of London Corporation, as the landowner, is responsible. Assessments have revealed that the Hampstead & Highgate Pond Chains do not have sufficient capacity to deal with extraordinary or sustained storm events. The most recent hydrology study by Atkins of the Ponds has established that the risk of dam failure is 30-50% less than previously estimated by Haycock, but that dam failure in the event of extraordinary or sustained storm events remains a significant risk nonetheless. This risk needs to be addressed to match industry best practice and to fulfil the Corporation's legal obligations.

In response to a question from a Member, the Superintendent confirmed that the fundamental item of legislation affecting the Heath was the Hampstead Heath Act 1871, and that we must be mindful of its influence when responding to contemporary legislation.

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The representative of the Heath & Hampstead Society stated that the Society had reservations about the approach the City was taking to meet the requirements of legislation protecting the character of the Heath and reservoirs legislation. He said the Society reserved the right to challenge the final design on judicial review grounds; he hoped this could be avoided.

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 Heath and Hampstead Society had expressed some concern at what they felt to be the relatively short duration of the next stage of the Ponds Project, the Options Appraisal.

The Chairman stated that a longer consultation process was planned and that would involve the independent Landscape Architect Peter Wilder. The Superintendent advised that Mr Wilder sits outside of the Ponds Project Design Team to act in a 'critical friend' capacity.

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 and for the deliberate or accidental release of water from the Ponds. He also confirmed that current assessments take into account the incidence of longer, wetter summers, and that the Corporation's Emergency Plans cater for deliberate damage.

**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.