

## HAMPSTEAD HEATH, HIGHGATE WOOD AND QUEEN'S PARK COMMITTEE Monday, 23 September 2013

Minutes of the meeting of the Hampstead Heath, Highgate Wood and Queen's Park Committee held at Committee Room - 2nd Floor West Wing, Guildhall on Monday, 23 September 2013 at 1.45 pm

### Present

#### Members:

Jeremy Simons (Chairman)  
Virginia Rounding (Deputy Chairman)  
Deputy Michael Welbank  
Deputy John Barker  
Dennis Cotgrove  
Karina Dostalova  
Revd Dr Martin Dudley  
Clare James  
Professor John Lumley  
Barbara Newman  
Deputy John Owen-Ward  
Alderman Ian Luder (Ex-Officio Member)  
Councillor Melvin Cohen  
Martyn Foster  
Tony Ghilchik  
Charlotte Kemp  
Maija Roberts

#### Officers:

Alistair MacLellan	- Committee and Member Services Officer
Simon Lee	- Superintendent of Hampstead Heath, Queen's Park & Highgate Wood
Alison Elam	- Group Accountant, Chamberlain's Department
Sue Ireland	- Director of Open Spaces
Jennifer Allott	- Departmental Business Manager, Open Spaces Department
Edward Wood	- Comptroller and City Solicitor's Department
Paul Monaghan	- Assistant Director Engineering

### 1. APOLOGIES

Apologies were received from Alderman Robert Hall and Tom Sleigh.

Before the meeting proceeded further, the Chairman took the opportunity to note the considerable contribution made by Alderman Bob Hall to the work of the Open Spaces Committees over many years, including his several

chairmanships. He thanked Alderman Hall for his wise counsels and guidance and wished him well in the future. He undertook to convey the thanks and good wishes of the Management Committee to Alderman Hall.

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

There were no declarations.

3. **APPOINTMENT TO KEATS HOUSE CONSULTATIVE COMMITTEE**

The Committee proceeded to appoint one of its members to the Keats House Consultative Committee for the year 2013/14. Mrs Barbara Newman, being the only member expressing her willingness to serve, was duly appointed to the Committee for the ensuing year.

4. **MINUTES**

**RESOLVED:** that the minutes of the meeting held on 22 July 2013 were approved as a correct record subject to Paul Monaghan being listed as in attendance, and 'John Lyons' being corrected to 'Joe Lyons' in the first bullet point on page nine.

**Matters Arising**

**Oak Processionary Moth (OPM)**

The Director of Open Spaces informed the Committee that latest data indicated that OPM was apparently moving in a westerly direction towards Heathrow, rather than north easterly as originally supposed. She noted that this evidently affected the City of London's Burnham Beeches site and that the situation would be monitored accordingly.

**Dogs**

In response to a question from a member, the Superintendent of Hampstead Heath confirmed that a forthcoming report on dogs would address the general issue of dogs and dog users on the Heath, based on the experience of Burnham Beeches.

**All-Member Visit to Hampstead Heath**

In response to a query from the Deputy Chairman, the Director of Open Spaces agreed that all members of the Court of Common Council, plus co-opted members of the Open Spaces Committees, would be invited on a site visit to Hampstead Heath to allow them to see at first-hand issues involved in the Ponds Project.

4.1 **Amendment to the Minutes of the Meeting dated 9 May 2013**

**RESOLVED:** that the proposed revised wording for the item 'Hampstead Heath Ponds Project – Assessment of the Design Flood' in the minutes of the meeting dated 9 May 2013 be agreed, subject to the following amendments: a paragraph break in the second paragraph between 'responsible' and 'Assessments'; Heath '&' Hampstead Society in the fourth paragraph; and 'dams' for 'damns' in the fourth paragraph.

## Hampstead Heath

### 5. SUPERINTENDENT'S UPDATE

The Superintendent of Hampstead Heath provided the Committee with a verbal update on the following issues:

#### **Fatality**

The Superintendent outlined the circumstances surrounding the recent fatality in the Hampstead Heath Ladies' Pond, highlighting that normal lifeguarding routines had been followed throughout the course of the day in question. He noted that upon the realisation that evening that the lady in question was missing, a full land and air search was mounted by the Metropolitan Police Service, leading to her discovery by police divers the following morning. He added that this was the first fatality at the Ladies' Pond in living memory and the first fatality involving swimming facilities on the Heath since an incident at the Lido in 1975. He emphasised that an inquest had been opened and subsequently adjourned, and that a report would be prepared for the Committee once the inquest was concluded. He also noted that a range of stakeholders were involved at the present time, including the Metropolitan Police and the Health and Safety Executive (HSE), as well as internal teams from the Corporation of London. He made clear that the Corporation's protocols and procedures on the various swimming facilities on the Heath had been reviewed by an external health and safety consultant. He concluded by stating that it was clear that what had occurred had affected the staff involved deeply, and evidently the family in particular.

The Deputy Chairman expressed thanks on behalf of the Committee for the efforts of staff present on the Heath at the time of the incident, acknowledging their professionalism during difficult and tragic circumstances.

#### **Garden House**

The Superintendent noted that a planning hearing was scheduled later that week for the Garden House application, and that he had instructed the Corporation's planning consultant to attend to make the necessary representation.

#### **The Water House**

The Superintendent noted a further planning application for The Water House, a site opposite the entrance to the Ladies' Pond. He highlighted the large amount of disruption proposed in the Construction Management Plan and his concerns that the lane through which heavy vehicles planned to access the site was unsuitable for such use. Furthermore, he had concerns over the effect of large movements of traffic on trees along the lane in question.

#### **Events**

The Superintendent noted the staging of the Duathlon on the Heath earlier in September, with four waves of competitors in total, with a winning time of c. 29 minutes.

He went on to note issues over hot water supply to the changing rooms at the Athletics Track, which had seen him working with the City Surveyor's Department to identify potential solutions, which may include the use of temporary facilities. He informed the Committee that he would provide more information at the next meeting of the Committee.

He reported that the Give It A Go legacy event earlier that month had suffered slightly due to inclement weather, and that a circus was currently present on the Heath. He concluded by noting the forthcoming Conker Championships on 13 October and the Greater London Cross-Country Championships on 16 November.

6. **HAMPSTEAD HEATH TRUSTEES' ANNUAL REPORT AND FINANCIAL STATEMENTS FOR THE YEAR ENDED 31 MARCH 2013**

The Group Accountant introduced a report of the Chamberlain on the Hampstead Heath Trustees' Annual Report for the year ended 31 March 2013. She noted that the overall format was the way in which the report was submitted to the Charity Commission, and that the sums involved covered both the Hampstead Heath operations budget and the Hampstead Heath Trust Fund.

A member welcomed the format of the report, noting that it was readily accessible and understandable. Lastly and in response to a query from another member of the Committee, the Superintendent confirmed that the Kenwood Depot referred to in the second bullet point on page 19 of the agenda was a new resource on the site previously known as the eco-garden.

**RECEIVED**

7. **PROGRESS REPORT ON CONSTRUCTION OF A STUMPERY IN THE WOODLAND WALK WAY - GOLDERS HILL PARK**

The Superintendent introduced a report on the introduction of a stumpery into Golders Hill Park, noting that the transformation of the site was in progress with stumps having been installed and the introduction of ferns to follow shortly. He argued that this area, with its forthcoming educational value, of the Park now represented a hub of voluntary activity when considered in conjunction with the neighbouring RSPB Classroom.

**RESOLVED**, that:

- the Committee note the successful construction of the stumpery as an important new feature in Golders Hill Park;
- the Committee acknowledges the close working relationships developed between Open Spaces Department staff and inspiration and knowledge gained from a visit to Highgrove House, Gloucestershire.

8. **HAMPSTEAD HEATH'S HEDGES AND THEIR MANAGEMENT**

The Superintendent of Hampstead Heath introduced a report on Hampstead Heath's hedges and their management, noting the survey work undertaken on

the Heath during 2012 and the subsequent production of a ten-year management plan to protect and promote the biodiversity and landscape importance of the Heath's hedges.

Members welcomed the report, with one noting the fundamental importance of management plans in guaranteeing the character of the Heath. He recorded his appreciation therefore of what he described as outstanding efforts of the Hampstead Heath Ecologist.

The Chairman concurred and expressed thanks on behalf of the whole Committee for the work undertaken by the Hampstead Heath Ecologist.

**RESOLVED**, that:

- Members note the report and approve the overall management programme, subject to the views of the Hampstead Heath Consultative Committee being received.

9. **UPDATE ON THE HAMPSTEAD HEATH PONDS PROJECT**

The Superintendent of Hampstead Heath introduced a report on the Hampstead Heath Ponds Project, emphasising the fact that this set out the iterative process of the project to date. He referenced the robust debate that had taken place at a recent meeting of the Ponds Project Stakeholder Group workshop before informing the Committee that the Preferred Option Report would be prepared for their consideration at the next meeting of the Committee in November.

In terms of procurement for the project, the Superintendent stated that he felt it had been vital to involve contractors in the early stages of the project to allow the Corporation to prepare an appropriate planning application to a mid-2014 deadline. He noted that potential contractors were due to submit their final submissions shortly, and had benefited greatly from the opportunity to visit and discuss the project with officers.

9.1 **Hampstead Heath Ponds Project - Quantitative Risk Assessment**

The Superintendent introduced the Quantitative Risk Assessment, noting that it was an unusual document to be produced at this stage as it was not associated with the overall design process and had no statutory basis, but that the City Corporation had agreed, in the spirit of cooperation, to produce this interim document.

He noted also that many of the proposed surveys, terrestrial and aquatic, had been completed and that in particular there had been no evidence found of Great Crested Newts. He concluded by recognising that there remained, as ever, the possibility that external parties may seek a judicial review of the Corporation's proposals for the Ponds Project.

In response to a question from a member, the Principal Legal Assistant confirmed that a meeting had taken place between the Heath & Hampstead Society, their QC, and City of London Officers and their QC on 19 September 2013. He described it as a productive meeting but that the differing positions between the Heath & Hampstead Society and the City of London Corporation were still apparent.

**RESOLVED**, that:

- Members approve the approach being undertaken to proceed with the project at 'deliberate speed'.
- Members receive the formal Quantitative Risk Assessment and accompanying Position Statement.

**10. REPORT ON MAINTENANCE WORKS AND FUTURE PROPOSALS AT THE HILL GARDEN & PERGOLA**

The Superintendent of Hampstead Heath introduced a report on maintenance works and future proposals at the Hill Garden and Pergola, noting that it was a good example of the City of London Corporation investing in the maintenance of its existing assets. He stated that, notwithstanding the work carried out, some areas of the Pergola required further investment. For example, timbers along the paviour path were decayed and held in place with braces, necessitating the paviour path to be closed in the event of 15mph+ winds, and that part of the pergola structure was currently fenced off and closed due to subsidence.

He went on to note that the Open Spaces Departmental Business Manager had been approached by the Superintendent Registrar of Camden who was very keen to investigate the possibility of the use of the Hill Garden and Pergola as a wedding venue. The Superintendent told Committee members that the use of the area as such a venue, in income generation terms, would require some oversight by the Committee at a future date in the event of a successful application being made.

In response to a question from a member, the Superintendent confirmed that Camden Council was happy for the lavatories at Golders Hill Park to serve as the necessary lavatory facilities required at wedding and civil ceremony venues.

In response to the warning from the Superintendent of the need for continued investment in the maintenance of the Hill Garden and Pergola, a member suggested that contact be made with Unilever to gauge their willingness to become involved in any future maintenance works on the garden and pergola, given the company's presence in the City and that it is the successor to Lever Brothers, established by Lord Leverhulme, original owner of the Hill Garden.

A member concurred with this suggestion, noting that it was important such an approach be pursued proactively and that proper consideration be given to how members of the Committee could usefully assist in such an approach, rather than expecting the Superintendent and his staff to be experts on fundraising.

**RESOLVED**, that:

- The ongoing repair and maintenance works undertaken in the Pergola during the last ten years be noted;
- The approach to use the Hill Garden and Pergola for marriage and civil ceremonies be endorsed, recognising that the details of such an approach will form the basis of a separate report to a future meeting of the Committee, once the views of the Hampstead Heath Consultative Committee have been received.

11. **REVIEW OF AFFORDABLE ART FAIR ON HAMPSTEAD HEATH IN JUNE 2013 AND PROPOSALS FOR 2014 AND BEYOND**

The Superintendent of Hampstead Heath introduced a report on the Affordable Art Fair held on the Heath in June 2013. He noted the relative success of the event, which had generated £3million in art sales but attracted fewer visitors than had been anticipated, which was probably due to the fact that the event was held only seven months after the previous Art Fair.

The Superintendent also outlined proposals for an associated event in 2014, called GROW London. This event would serve as a one-stop shop for garden experts, enthusiasts and the interested public and promote themes of sustainability, ecology and community planting projects. He noted that the proposal envisaged the GROW London event being intrinsically linked with the Heath, much in the same way that the Affordable Art Fair concept is associated with its original venue in Battersea. He concluded by saying that he had received messages of support from the Heath & Hampstead Society, and that the projected income from the two events would prove welcome over the next few years.

The Chairman thanked the Superintendent for the report and noted that the existing Affordable Art Fair also raised sums for charity as well as providing profit for the organisers and exhibitors.

**RESOLVED**, that:

- The Committee note the relative success of the 2013 Affordable Art Fair in welcoming 16,500 adult visitors to the Heath and raising additional income from hire fees for the site;
- The Committee approve the Affordable Art Fair continuing to be held in June and agree to its licence being granted for a further three years;
- The Committee approve the hosting of a second event following the affordable art fair on a three year licence and note the plans that are underway with regards to the annual GROW London event.

12. **GREEN FLAG AWARDS 2013**

The Open Spaces Business Manager introduced a report on the Green Flag Awards 2013, noting that all of the City of London Corporation's Open Spaces had retained their Green Flag status and, of these sites, nine were also awarded Green Heritage Awards.

In response to a question from a member, the Business Manager confirmed that the City of London's submission to London in Bloom had recently received a Gold Award.

**RESOLVED**, that:

- The success of the City of London Open Spaces in the Green Flag and London in Bloom Awards be noted and reported to the Court of Common Council on 24 October 2013.
- That the members of staff and volunteers at all the Open Spaces be congratulated on their contribution to the City of London's success in the awards.

**Highgate Wood & Queen's Park**

13. **SUPERINTENDENT'S UPDATE**

The Superintendent of Hampstead Heath provided the Committee with an update on the following issues:

**Queen's Park Events**

He noted that the recent Film Nights in Queen's Park had gone well, with around 500 persons attending each event. He reported that Queen's Park Day on 15 September had attracted several thousand visitors despite inclement weather.

**Highgate Wood Events**

The Superintendent reported that the Highgate Wood Heritage Festival on 1 September had been similarly well attended, in comparison to the Queen's Park Day.

**Photovoltaic Cells**

The Superintendent concluded his update by noting that the installation of photovoltaic cells had been completed on the workshop in the Wood and that the cells were now contributing to both the National Grid as well as the operational needs of staff and equipment in Highgate Wood.

Members of the Committee thanked the Superintendent for his update and suggested that future events such as Queen's Park Day be put into the Members' Pocket Book and onto Modern.Gov for information.



14. **HIGHGATE WOOD AND QUEEN'S PARK KILBURN TRUSTEES' ANNUAL REPORT AND FINANCIAL STATEMENTS FOR THE YEAR ENDED 31 MARCH 2013**

The Group Accountant introduced the Annual Report and Financial Statements of the Trustees of Highgate Wood and Queen's Park Kilburn, noting that they were in the format required by the Charity Commission. There were no questions.

**RECEIVED**

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

There were no questions.

16. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT  
Committee Meeting November 2013**

The Chairman informed the Committee that its next meeting would be held on 25 November 2013 and that this date replaced any communicated to them previously. He apologised for the rescheduling, noting that it was necessary to allow for the requisite engagement on the Hampstead Heath Ponds Project. The Town Clerk committed to providing an update on future dates of both the Management and Consultative Committees to their respective memberships.

**Queen's Park Day September 2013**

A member placed on record her thanks to the Queen's Park Manager and his team for the work that they put into the recent Queen's Park Day, noting that she had only had positive feedback from residents following the event.

**London Councils Summit November 2013**

In response to a suggestion from a member, the Director of Open Spaces committed to investigating the feasibility of the Open Spaces Department exhibiting its recent work at the forthcoming London Councils Summit in Guildhall on 16 November.

17. **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.

Items 18-22                      Paragraph(s) 3

**AGREED**

18. **NON-PUBLIC MINUTES**

**RESOLVED:** that the non-public minutes of the meeting held on 22 July 2013 be agreed as an accurate record.

**19. FINANCIAL ARRANGEMENTS UNDERPINNING AFFORDABLE ART FAIR AND PROPOSED GROW LONDON EVENTS 2014-16**

The Committee considered a report on the financial arrangements underpinning the proposed Affordable Art Fair and GROW London events 2014-16.

**RESOLVED**, that:

- The Committee note the breakdown of the financial costs that support the management of the Affordable Art Fair and proposed GROW London event;
- The Committee approve the financial basis for agreeing a licence with the Affordable Art Fair/GROW London for 2014-16, with an annual review of the financial arrangements.

**20. DECISIONS TAKEN UNDER URGENCY OR DELEGATED AUTHORITY**

The Chairman introduced a report of the Town Clerk of the delegated and urgent decisions taken since the last meeting of the Committee.

**RECEIVED**

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

There were no questions.

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

There was no other business.

**The meeting ended at 2.52 pm**

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Chairman

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