

<b>Committee</b>	<b>Dated:</b>
Hampstead Heath, Highgate Wood & Queen's Park Committee	17072017
<b>Subject:</b> Superintendents Update	<b>Public</b>
<b>Report of:</b> Superintendent of Hampstead Heath	<b>For Decision</b>
<b>Report author:</b> Bob Warnock – Open Spaces & Heritage Department	

### Summary

This report provides an update to Members of the Hampstead Heath, Highgate Wood & Queen's Park Committee on management and operational activities across the Division since May 2017.

### Recommendations

It is recommended that:

- Members note the contents of this report.
- Members to agree the proposal for licencing an Eruv pole, para 13;
- Members to agree the revised Drone Guidance appended to this report;
- Members to agree the revised Tennis Regulations for Hampstead Heath & Queen's Park.

### Main Report

#### City of London (Open Spaces) Bill 2016

1. Progress through the House of Commons has been delayed due to the General Election. It is hoped to revive the Bill's Parliamentary passage and complete its stages through the House of Commons either prior to the Summer Recess or soon thereafter.

#### Management Plan Engagement

2. The engagement process to develop a community vision for Hampstead Heath was completed in June 2017. The aim of the community vision is to paint a picture of the best ways the Heath can continue to enrich our lives now and

long into the future. The vision will guide our work to develop a 2018 - 2028 Management Plan by April 2018.

3. The Superintendent is pleased to report that over 1340 surveys were completed. This is in addition to approximately 200 people who came along to share their ideas in person at one of six pop-up consultation stalls, or who participated in one of the vision workshops or focus groups conducted during April and May by Groundwork London.
4. A diverse range of views were expressed and the Consultant has distilled these to create a draft community vision for Hampstead Heath that encapsulates the many aspirations and ideas that were shared. Submissions have been overwhelmingly positive and affirming, providing a wealth of aspirational data and a strong foundation of good will for developing the 2018 Plan and guiding management over the next ten years.
5. The Consultant will present a report on their findings and a draft vision statement to the Hampstead Heath Consultative Committee for discussion at the extraordinary meeting on 17th July 2017. A full report and proposed vision statement will be presented to the Hampstead Heath, Highgate Wood & Queen's Park Committee on 25 September 2017.
6. The next stage of the project will see development of an outcomes framework and high level management strategies in the context of the community vision for the Heath.
7. It is proposed that a full report on progress on the 2018 Plan be submitted to the Hampstead Heath Consultative Committee for consideration in January 2018, and subsequently to the Hampstead Heath, Highgate Wood & Queen's Park Committee for review and endorsement.

## **Events**

8. Members are invited to 'Give it a Go!' on Sunday 16 July, 1-5pm at Parliament Hill. Held in partnership with Camden Council and Mayhew Animal Home. A range of games, sports coaching, dance, well-being and children's activities will be available for members of the public to try.
9. Weddings and Civil Ceremonies - The first ceremony of 2017 took place on 7 April. 16 ceremonies are booked to take place this year. From August the Weddings and Civil Ceremonies will only take place in the Hill Garden, as the City Surveyor commences works to replace the oak timbers between the Belvedere and Rotunda structures. The work is scheduled to commence on 7 August for a period of 12 weeks.

## **Cycling**

10. The Highgate Wood, Conservation & Trees Manager and the Superintendent met with 'Heath for Feet' representatives in late March to discuss shared walking and cycle paths on Hampstead Heath.

11. Taking account of feedback from Members, the intention now is to combine the cycling group and 'Heath for Feet' into a Working Group and to arrange an inaugural meeting in September 2017. The most immediate concern expressed by the cyclists is the condition of the bound gravel sections of the existing cycle paths. The Group will also consider improving the waymarking and signage on the existing shared-use paths and strategies to promote responsible cycling on the Heath.

## **Eruv**

12. During late 2016, the Superintendent received two proposals for works on Hampstead Heath that are related to the Highgate & Muswell Hill Eruv and the Camden Eruv.
13. The Consultative Committee considered the proposals on the 7 January and 11 March 2017 walks. The Management Committee visited the Wind Mill Hill location on the 5 May 2017.
14. The Comptroller & City Solicitor has advised that in relation to any fencing or other additional structures to be erected on the Heath itself, the City of London would have to be satisfied that the proposals were in accordance with our Statutory duties under the Hampstead Heath Act 1871, in particular section 12:-

Subject to the provisions of this Act, the Board shall for ever keep the Heath open, uninclosed, and unbuilt upon, except as regards such parts thereof as are at the passing of this Act inclosed or built on, and shall by all lawful means prevent, resist, and abate all encroachments and attempted encroachments on the Heath, and protect the Heath, and preserve it as an open space, and resist all proceedings tending to the inclosure or appropriation for any purpose of any part thereof.

and section 16:-

The Board shall at all times preserve, as far as may be, the natural aspect and state of the Heath...

15. If the Management Committee were minded to allow the Eruv Committee to install and maintain fencing or other structures on the Heath then a licence would be required.
16. Following discussions with both the Consultative and Management Committees, the Superintendent has provided feedback to the applicant on the initial proposals. The applicant has now revised the proposal to use the existing lamp columns along Hampstead Lane to support the Eruv. The updated proposal therefore, avoids the need for sections of fencing on Hampstead Heath and poles to support the Eruv over the access to Athlone House Gardens and the Kenwood Nursery Yard. A pair of poles will still be necessary to continue the Eruv over the Cut Through Alley but these posts will be positioned at the back of the pavement on the Public Highway. Please see

Appendix 1, a plan showing the location of the lamp columns, and a picture of one of the lamp columns which it is now proposed for the Eruv.

17. The Wind Mill Hill proposal remains unchanged, and the Superintendent is seeking Members agreement to grant a licence to the Eruv Committee for a single 4 metre pole on the boundary of the Heath adjacent to "Capo di Monte". Please see a plan attached at Appendix 2.

## **Planning**

18. The London Borough of Barnet published a planning brief to seek public opinion and to establish development parameters for the redevelopment of Golders Green Bus Station and Underground Station. The Superintendent submitted a Letter of objection on 25/05/17 highlighting the impact of any tall buildings on surrounding heritage assets and open spaces.
19. The London Borough of Barnet responded stating, "it is clear from the high volume of representations that the draft Planning Brief cannot be progressed without significant revision and further consultation".
20. Land Adjacent to Jack Straws Castle North End Way London NW3 7ES (ref. 2017/2064/P, 2017/2171/P & 2017/1353/P) – Proposal to erect two houses to the rear of the car park, resulting in the reduction of car parking spaces from 11 to 7. A letter of objection has been submitted to the London Borough of Camden, on the basis of the visual impact of the proposed development from the Heath, and the impact of parking pressure from the reduction of parking spaces associated with Jack Straws Castle.
21. The Superintendent held a meeting with London Borough of Camden Planning Officers on 27/06/2017 to discuss the applications, along with Members of the Heath & Hampstead Society. The above key issues were raised with Camden, who confirmed they would consider them along with their concerns about the design of the development, the impact on the listed building, residential amenity standards, as well as considering the Basement Impact Assessment and the views of their Transport Engineer.
22. Chester Court, Lissenden Gardens (ref. 2017/1353/P) – Proposal to install six antennas within three glass-reinforced plastic enclosures and three equipment cabinets. The Superintendent submitted a letter of objection on 26/05/17, with key issues being the siting of the enclosures on the building and their visibility from the Heath, inconsistency of development with existing local character and roofscapes, and the impact on the Dartmouth Park Conservation Area.
23. Planning permission was refused on 08/06/2017 due to inappropriate siting on edges of roof, excessive size and bulk would result in highly visually prominent and incongruous development, harming visual appearance and character of building, particularly in views from Parliament Hill Fields, and failure to preserve or enhance the character and appearance of the conservation area.

## **Hampstead Heath Ponds Project**

24. At the ICE London Civil Engineering Awards Ceremony on 25 May 2017, the Hampstead Heath Ponds Project won the Community Benefit Award. The award reflects the way in which the engineering project continues to benefit the community, both through increased resilience to flooding and improvements in the landscaping, ecology and water quality.
25. The fences around the Catchpit, Pryors Field haul route and the Tumulus have been removed and desire line paths cut through the areas. A table setting out the arrangements is attached as Appendix 3.

## **Oak Processionary Moth**

26. A total of 94 OPM nest trees which have been located across Hampstead Heath since they were first recorded in 2015. Additionally, two further nests have been located and removed from Queen's Park this year. There are currently no recorded nests located within Highgate Wood, but it is highly likely that there will be undiscovered nests.
27. In 2015 a total of 13 trees were affected, this increased to 20 trees in 2016 and so far in 2017 61 trees and affected. The first two years saw one or two nests per tree, but this year has seen a sharp increase in nest numbers with some trees being found with up-to 8 nests.
28. Trees with nests close to the ground have been cordoned off and information about OPM is displayed. All of this year's caterpillars and nests will be removed from the identified trees by specialist contractors during the first two weeks of July.
29. The 2015 & 2016 trees and the oaks within a 50m radius were sprayed in the spring, both in 2016 & 2017 using the biological growth regulating insecticide BT (*Bacillus thuringiensis*). It is noted that there have been no repeat nesting on the sprayed trees. All of this year's nests have been located on trees outside of the spraying zones.
30. Hampstead Heath is currently outside of the OPM Management Core Zone and is designated as being in the Control Buffer Zone. Due to this status the City of London has been subject to a Statutory Plant Health Notice to control the caterpillars and nests for the last two years.
31. A decision will be made by the Forestry Commission and DEFRA later this year as to whether Hampstead Heath will remain in the Control Buffer Zone and be required to continue the spraying in 2018
32. Please find attached at Appendix 4 a map showing the number of trees affected over the last three years.

## **Drones**

33. Taking account of the feedback from Members of the Consultative Committee, and following further discussions with the Comptroller & City Solicitor the guidance on the use of drones has been updated and is attached at Appendix 5.
34. The Superintendent is recommending the Drone Guidance is approved by Members. The City Corporation will continue to monitor the use of drones on the Heath, and will report back to Members their findings and any issues arising. If necessary, the City Corporation will consider applying for additional powers, e.g. byelaws, to restrict the use of drones on the Heath, enforceable by the Hampstead Heath Constabulary.

## **Green Flag & London in Bloom**

35. Green Flag judging has taken place across Hampstead Heath, Highgate Wood & Queen's Park. The awards will be announced on Tuesday 18 July 2017. For the London in Bloom Awards a combination of mystery shopping and judging has been taking place at Golders Hill Park, The Hill Garden and Pergola and Queen's Park. The awards will be announced on the 22<sup>nd</sup> September 2017.

## **Tennis Regulations**

36. The Hampstead Heath Sports Forum discussed the Hampstead Heath Tennis Regulations on 22<sup>nd</sup> May 2017. The regulations have been updated to include information about ClubSpark, the online tennis booking system. Taking account of feedback received from Members of the Sports Forum the regulations have been amended. A copy of the revised Hampstead Heath Tennis Regulations are attached at Appendix 6. The Superintendent is recommending that Members approve these regulations for Hampstead Heath. (Queen's Park Tennis Regulations will reflect the Hampstead Heath Tennis Regulations.)

## **Appendices**

- Appendix 1 – Eruv – Hampstead Lane
- Appendix 2 – Eruv - Windmill Hill
- Appendix 3 – Plan for restoring public access to Catchpit, Pryors Field and the Tumulus.
- Appendix 4 – OPM Distribution across Hampstead Heath
- Appendix 5 – Drone guidance document
- Appendix 6 – Hampstead Heath Tennis Regulations

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