

HAMPSTEAD HEATH, HIGHGATE WOOD AND QUEEN'S PARK COMMITTEE
Monday, 15 May 2017

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 Monday, 15 May 2017 at 1.45 pm

Present

Members:

Karina Dostalova
Anne Fairweather
Deputy John Tomlinson
Deputy Clare James
Michael Hudson
Ruby Sayed
Oliver Sells QC
William Upton
Councillor Sally Gimson
John Beyer
Sam Cooper
Maija Roberts

Officers:

Alistair MacLellan	-	Town Clerk's Department
Carl Locsin	-	Town Clerk's Department
Kate Smith	-	Town Clerk's Department
Alison Elam	-	Chamberlain's Department
Paul Double	-	City Remembrancer
Colin Buttery	-	Director of Open Spaces
Bob Warnock	-	Superintendent of Hampstead Heath
Richard Gentry	-	Constabulary & Queen's Park Manager
Declan Gallagher	-	Operational Services Manager – Hampstead Heath
Esther Sumner	-	Business Manager – Open Spaces

1. APOLOGIES

Deputy John Tomlinson was in the Chair.

Apologies were received from Councillor Melvin Cohen, Rachel Evans and Graeme Smith.

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

William Upton noted that he had, in the past, acted for the Environment Agency in the High Court in support of the City's proposals for the Hampstead Heath Ponds Project.

3. ORDER OF THE COURT OF COMMON COUNCIL

Members received the Order of the Court of Common Council dated 27 April 2017 appointing the Committee.

4. **ELECTION OF CHAIRMAN**

An Election of Chairman was held on line with Standing Order 29. Karina Dostalova, being the only Member willing to stand, was declared Chairman for the ensuing year.

The Chairman thanked Members for their support and placed on record the thanks of the Committee to past Members for their service – in particular John Barker, Barbara Newman, Rev Dr Martin Dudley, Professor John Lumley, Keith Bottomley and Alderman Ian Luder, who had been a long standing ex-officio Member.

The Chairman also thanked Jeremy Simons, past Chairman and Deputy Chairman of the Committee who was no longer on the Committee.

The Chairman then welcomed Sam Cooper (English Heritage) and Ruby Sayed, Oliver Sells and William Upton to their first meeting.

5. **ELECTION OF DEPUTY CHAIRMAN**

An election of Deputy Chairman was held in line with Standing Order 30. Anne Fairweather, being the only Member willing to stand, was declared elected Deputy Chairman for the ensuing year.

VOTE OF THANKS

Proposed by Deputy John Tomlinson
Seconded by Michael Hudson;

RESOLVED UNANIMOUSLY:

THAT the Members of the Hampstead Heath, Highgate Wood and Queen's Park Committee wish to place on record their sincere appreciation to

Virginia Rounding

for her outstanding service as Chairman of this Committee from May 2015 to March 2017.

During her tenure as Chairman, Virginia dealt with some often contentious issues with tact, diplomacy and – throughout – an unwavering dedication to ensuring Hampstead Heath, Highgate Wood and Queen's Park remained among the front rank of London's public open spaces.

On becoming Chairman, Virginia built on the work of her predecessor to bring the Hampstead Heath Ponds Project to a successful conclusion, ensuring that today the Heath and its ponds enjoy both a safe and enhanced natural aspect.

Under her Chairmanship, the Committee focused on the myriad issues that illustrate the challenges of maintaining a diverse range of open spaces, whilst all the while managing the competing interests of millions of Londoners.

Issues that Virginia turned her attention to include legislation, namely the promotion of a City of London (Open Spaces) Bill in Parliament; policies and guidance governing emerging issues, such as the development of guidance on the use of drones; and of course the ever present need to be vigilant to ensure planning applications on the fringes of Hampstead Heath, Highgate Wood and Queen's Park do not have any adverse impact on the public enjoyment of those open spaces.

Public open spaces that are so intrinsically important to the communities who rely on them for sport, leisure and relaxation can often provoke strong feelings, and it is the measure of a Chairman that on those occasions when feelings run high that the issue is resolved through measured consideration and appropriate compromise – with that in mind, the Committee wishes to place on record its particular thanks for the way in which Virginia handled the issue of leases at each of the cafes on Hampstead Heath, Highgate Wood and Queen's Park – and of course more natural challenges, such as the City's response to the discovery of Oak Processionary Moth at both Queen's Park and Hampstead Heath.

In taking leave of their Chairman, Members wish to highlight the robust state of health that the Hampstead Heath, Highgate Wood and Queen's Park are in, which is due in no small part to the work Virginia has undertaken as Chairman. The City's North London Open Spaces remain premier venues for millions of people, and will continue to remain so in light of the recent decision, under Virginia's Chairmanship, to undertake a Hampstead Heath Management Plan Review which will safeguard the Heath long into the future.

Members wish Virginia well as she turns to her next venture, confident that the skills and experience she has brought to this Committee will be of inestimable benefit to the causes she chooses to promote in the future.

6. MINUTES

6.1 Hampstead Heath, Highgate Wood and Queen's Park Committee

The minutes of the meeting held on 30 January 2017 were approved as a correct record.

Matters Arising Open Spaces Bill

The Remembrancer was heard regarding the passage of the Open Spaces Bill through Parliament. He noted that it was currently at the Report Stage but its Third Reading had been deferred until the House reconvened following the General Election in June. He added that there would be time for the Bill to be further considered in the new Parliament, but that it would require a revival motion and the speed of its passage would be dependent on the level of debate it prompted.

6.2 Hampstead Heath Consultative Committee

The draft minutes of the meeting held on 13 March 2017 were received.

7. APPOINTMENTS TO COMMITTEES 2017/18

Members considered a report of the Town Clerk regarding appointments to Committees and Groups for 2017/18. In response to a request from Members, the Town Clerk agreed to investigate the potential for earlier or later start times for Committee meetings. The Town Clerk also agreed to provide Members with a briefing note outlining their duties in relation to the Hampstead Heath Trust Fund.

RESOLVED, that

- The terms of reference and composition of the Hampstead Heath Consultative Committee be noted;
- The terms of reference and composition of both the Highgate Wood Consultative Group and the Queen's Park Consultative Group be approved;
- John Tomlinson be appointed to the Highgate Wood Consultative Group, and the further two vacancies be deferred until the next meeting of the Grand Committee for appointment;
- Ruby Sayed be appointed to the Queen's Park Consultative Group, and the further two vacancies be deferred until the next meeting of the Grand Committee for appointment;
- John Beyer (Heath and Hampstead Society) be appointed as the local representative to observe meetings of the Open Spaces and City Gardens Committee;
- Clare James be appointed to serve on the Keats House Consultative Committee;
- The current frequency of meetings of the Grand Committee be approved.

8. OPEN SPACES & HERITAGE BUSINESS PLAN 2017/18

Members considered a report of the Director of Open Spaces on the Open Spaces & Heritage Business Plan 2017/18 and the following points were made.

- The Head of Corporate Strategy noted that the version before Members was a draft and embryonic Corporate Plan which would undergo several rounds of consultation before it was finalised in April 2018. In the meantime departmental business planning on its annual cycle but is moving starting to align with and monitor impact against the draft outcomes in the Corporate Plan.

- In response to a question regarding reduction of fuel consumption, the Superintendent noted that all assets – including vehicles – were reviewed as and when they came up for renewal and the Open Spaces Department was trialling electric vehicles to replace diesel.
- In response to a question the Open Spaces Business Manager confirmed that there was no hierarchy of priorities within the business plan ambitions.
- A Member noted that the draft corporate strategy referred only to the Square Mile rather than the open spaces located elsewhere in London and the South East. The Head of Corporate Strategy replied that Open Spaces were considered part of the People strand of the strategy rather than the Place strand, given their role in wellbeing and recreation.
- A Member was heard regarding the fact many members of the public would not relate to the terms Square Mile or indeed 'co-working space'. Head of Corporate Strategy replied that comments such as this would be factored into future iterations of the strategy and the final version would be scrutinised by the Director of Communications to ensure language was as accessible as possible.

RESOLVED, that the Open Spaces & Heritage Business Plan be approved.

9. **HAMPSTEAD HEATH, HIGHGATE WOOD, QUEEN'S PARK RISK AND RISK MANAGEMENT**

Members considered a report of the Director of Open Spaces regarding Hampstead Heath, Highgate Wood, Queen's Park Risk and Risk Management and the following points were made.

- In response to a query from a Member, the Superintendent agreed to review the wording around some risks, given there was a perceived disjoint between some risk indicators remaining unchanged despite being rated lower than previously.
- In response to a question from a Member, the Open Spaces Business Manager confirmed that reputational risk had been factored into overall risk assessments.
- In response to a question from a Member, the Open Spaces Business Manager noted that the full risk register would be brought to this Committee twice each year, that the Open Spaces & City Gardens Committee would receive quarterly updates as part of the business plan reporting and that exceptional risks would be brought to the attention of the Committee as and when they arose.
- In response to a question from a Member, the Superintendent replied that he had appointed planning consultants to monitor planning applications both adjacent to the Heath and covering a wider area where

any applications would have an impact i.e. on strategic views. Outcomes of any planning risks identified would be reported to the Committee at each meeting.

RESOLVED, that Members

- Note the Risk Scoring Grid;
- Note the Departmental Risk Register;
- Approve the Hampstead Heath, Highgate Wood and Queen's Park Risk Register.

10. **SUPERINTENDENT'S UPDATE**

The Superintendent was heard regarding Hampstead Heath matters and the following points were made.

Management Plan Engagement

The Superintendent thanked the Deputy Chairman for her role in the recent public vision workshops. A report would be submitted to the Hampstead Heath Consultative Committee in July 2017 and then the Hampstead Heath, Highgate Wood and Queen's Park Committee meeting in September 2017.

Cross-Country Running

The Superintendent noted that the dry spring weather meant that the ground was not overly damaged by the recent cross-country events.

Benches

The Superintendent noted that Members would be updated further once proposals had been put to the Hampstead Heath Consultative Committee for comment.

Planning

Water House, Millfield Lane

The planning appeal had been withdrawn and the property sold. The new owner was proposing disabled access on the ground floor and had been actively engaging with the local community through holding an open day on 18 May 2017, and was willing to invite the Hampstead Heath Consultative Committee on a visit to the property. The Superintendent noted that his main concerns were over the health of veteran trees on Millfield Lane that would be affected by any construction traffic.

Land Adjacent to Jack Straws Castle North End Way

A planning application had been received to which the City would object due to the impact on views from the Heath plus the loss of local car parking.

Barnet Planning Brief re Bus Station

The planning brief included a proposal for a tall building. The deadline for responses was 25 May 2017.

Drones

In response to a comment from a Member regarding drones, the Superintendent noted that it was difficult to enforce against drones provided they did not include surveillance equipment. A report would be submitted to the July 2017 committee meeting. The Superintendent agreed to circulate the draft guidance to Members outside of the meeting. A Member noted that English Heritage operated a zero tolerance policy of no drones.

Cycles Routes

A Member noted that the Heath and Hampstead Society would not welcome any further cycle routes on the Heath.

Constabulary

The Constabulary & Queen's Park Manager noted that eight enforcement cases were pending decision by a magistrate.

11. HAMPSTEAD HEATH AND HIGHGATE WOOD CAFÉS LEASE OPTIONS APPRAISAL

Members considered a report of the Superintendent of Hampstead Heath regarding the Hampstead Heath and Highgate Wood Café Lease Options Appraisal. The Superintendent noted that the proposed option regarding jointly monitoring performance was outlined in paragraph 8 rather than 7 as detailed in the report recommendations. The following points were made.

- A Member expressed concern over the likelihood that the leases would come up for renewal around the time of the next City elections in 2021. The Chairman responded that the discussions to date, including those of the Café Working Party, had been conducted in public. Therefore transparency was not an issue and would unlikely be an issue during City elections. Moreover, as noted by the Deputy Chairman, any renegotiation of leases would be conducted well in advance of the election period.
- In response to questions, the Superintendent noted that the joint monitoring process would include two representatives from the Café Working Party – with the Working Party being able to nominate those two representatives on a rolling basis.

RESOLVED, that Members,

- Note the outcomes of the public engagement and consultation undertaken and the role of the Café Working Party;
- Note the view of the Hampstead Heath Consultative Committee and Highgate Wood Joint Consultative Committee;
- Agree the Service Standards and Performance Indicators as detailed in Appendix 2;
- Agree the proposed option regarding the leases as detailed in paragraphs 15 and 18.

12. PARLIAMENT HILL FIELDS LIDO CAFÉ - LEASE AWARD REPORT

Members considered a report of the Superintendent of Hampstead Heath regarding the Parliament Hill Fields Lido Café lease award. In response to a question, the Superintendent confirmed there was no rent free period.

RESOLVED, that Members

- Note the results of the tender process outlined in appendix 1;
- Approve the award of a lease for catering services at the Parliament Hill Lido Café to company C (identified in the non-public appendix) starting on 16 May for a period of at least until 12 January 2018 with a rolling break to terminate the lease at any point from 16 September 2017 exercisable by either party on one month's written notice.

13. GOLDERS HILL PARK ZOO VISION & COLLECTION PLAN

Members considered a report of the Superintendent of Hampstead Heath regarding the Golders Hill Park Zoo Vision and Collection Plan.

RESOLVED, that Members approve the Golders Hill Park Zoo Vision and the key themes of the 'Wildlife in Britain' Collection Plan.

14. MODEL BOATING POND ISLAND - OPTIONS APPRAISAL

Members considered a report of the Superintendent of Hampstead Heath regarding the Model Boating Pond Island – Options Appraisal and the following points were made.

- The Superintendent noted that the petition for the island to be managed as a refuge for swans free from public access had reached 5464 signatures but had not yet been formally submitted.
- The dry Spring weather had slowed down recovery of vegetation at the Model Boating Pond island.
- In response to a question, the Superintendent replied that the main objective of the land in question was to protect trees – but that the causeway was intended for public access once the ground had been given an opportunity to recover. There was also the possibility that the land be used by anglers – all of which could be discussed when the Committee visited the land in question on its next walk.

RESOLVED, that Members

- Note the options outlined within the report.
- Note that it was the majority view of the Hampstead Heath Consultative Committee that the island be managed as a refuge for birds free from public access.

- Approve that the island remains closed to the public during the restoration period and until a final decision is taken on its use at the July 2018 meeting of this Committee.

15. MANAGEMENT OF THE HIGHGATE AND HAMPSTEAD PONDS

Members considered a report of the Superintendent of Hampstead Heath regarding the management of the Highgate and Hampstead Ponds. The Superintendent noted that there were still some issues for staff to address including further de-silting of the ponds. A Member placed on record thanks to Heath staff for their quick response to a dog attack on swans on the ponds. The Superintendent concluded by noting the management plan would come back to Members for final decision in due course, and that comments were therefore welcome outside of the meeting.

16. HAMPSTEAD HEATH EDUCATION PROGRAMME PROGRESS REPORTS - JANUARY-MARCH 2017

The Hampstead Heath Education Programme Progress Reports for the period January-March 2017 were received.

17. SUPERINTENDENT'S UPDATE

The Superintendent was heard on Highgate Wood and Queen's Park matters, noting that Queen's Park was due a 'mystery shop' visit by Green Flag Judges in July 2017.

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

There were no questions.

**19. ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT
City of London Charities Pool Survey**

The Chairman noted that she would be completing and submitting a survey on the management of the City of London Charities Pool, which included some funds from the Hampstead Heath Trust Fund.

West Heath

The Chairman made clear that, in light of recent incidents, two Heath members of staff were responsible for cleaning up detritus associated with the use of West Heath as a Public Sex Environment and that issues arising would be discussed at the forthcoming working group meeting on 23 May 2017.

Communications

The Chairman requested that the Communications Team look at ways to improve the timely communication of events on the Heath among City Members, staff, and the general public – including if possible inclusion in the City's morning briefing.

20. 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 they involve the likely disclosure of exempt information as defined in Part I of Schedule 12A of the Act.

21. **NON-PUBLIC APPENDIX TO ITEM 12 [PARLIAMENT HILL FIELDS LIDO CAFÉ - LEASE AWARD REPORT]**

The non-public appendix relating to Item 12 [Parliament Hill Fields Lido Café – Lease Award Report] was received.

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

There were no questions.

23. **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 3.48 pm

Chairman

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