

HAMPSTEAD HEATH CONSULTATIVE COMMITTEE

Monday, 16 April 2018

Minutes of the meeting of the Hampstead Heath Consultative Committee held at Parliament Hill Conference Room, Parliament Hill Staff Yard, Parliament Hill Fields, Hampstead Heath, NW5 1QR on Monday, 16 April 2018 at 7.00 pm

Present

Members:

Karina Dostalova (Chairman)
Anne Fairweather (Deputy Chairman)
Nick Bradfield (Dartmouth Park Conservation Area Advisory Committee)
John Etheridge (South End Green Association)
Mathew Frith (London Wildlife Trust)
Colin Gregory (Hampstead Garden Suburb Residents' Association)
Michael Hammerson (Highgate Society)
Ellen Solomons (Vale of Health Society)
Ellin Stein (Mansfield Conservation Area Advisory Committee & Neighbourhood Association Committee)
Richard Sumray (London Council for Recreation and Sport)
John Weston (Hampstead Conservation Area Advisory Committee)

Officers:

Bob Warnock	- Superintendent of Hampstead Heath
Jonathan Meares	- Highgate Wood, Conservation & Trees Manager
Declan Gallagher	- Operational Services Manager
Richard Gentry	- Constabulary and Queen's Park Manager
Lucy Gannon	- Projects Management & Support Officer
Yvette Hughes	- Business Manager, Hampstead Heath Division
Paul Maskell	- Leisure and Events Manager
Leanne Murphy	- Town Clerk's Department
Alistair MacLellan	- Town Clerk's Department
Carl Locsin	- Town Clerk's Department

1. APOLOGIES

Apologies were received from Susan Rose, Ray Booth Dr Gaye Henson, Steve Ripley, Simon Taylor and David Walton. Members noted that Rachel Mackenzie was attending in place of Cindy Galvin (Heath Hands), Nick Fielding was attending in place of Helen Payne (Friends of Kenwood) and Lynda Cook was attending in place of Thomas Radice (Heath and Hampstead Society).

2. DECLARATIONS BY MEMBERS OF ANY PERSONAL AND PREJUDICIAL INTERESTS IN RESPECT OF ITEMS ON THIS AGENDA

There were no declarations.

3. MINUTES

The minutes of the meeting held on 29 January 2018 were approved as a correct record subject to the amendment of three points noted by a Member:

- Change "older age group" to "younger" on page 2.
- It was felt that the phrase "historic nature", which could imply geology and botany, be replaced with the word "history" on page 8.

- Replace the typographical error of the word “were” to “where” on page 10.

Members also felt clarity should be made to the paragraph regarding the Heath’s Heritage Day.

4. **ACTIONS SHEET**

The Committee noted the various outstanding actions and the updates provided thereon.

5. **MINUTES OF THE HAMPSTEAD HEATH, HIGHGATE WOOD, AND QUEEN'S PARK COMMITTEE**

The minutes of the Hampstead Heath, Highgate Wood and Queen’s Park Committee (HHHWQPC) meeting held on 21 February 2018 were received.

The Chairman highlighted the concern raised by a Member at this meeting that people with physical disabilities were under represented on Open Spaces Committees and advised that investigation of appropriate representation on the Hampstead Heath Consultative Committee (HHCC) was currently underway and that an interview for fair selection would take place in due course.

The Chairman also drew Members’ attention to item 10 and the decision of the HHHWQPC regarding the use of performing animals on the Heath. It was noted that the HHHWQPC received the feedback of the HHCC on this matter but had decided not to approve the recommendation put forward by the Committee, the reasons of which were immediately relayed to Members by the Chairman via email.

A Member of the HHCC questioned the legal advice of the Chief Solicitor regarding decisions based on ethical grounds as he felt most decisions by the Open Spaces Committees were based on ethical grounds. The Town Clerk noted that this decision was based on case law. Members requested a more in-depth explanation of the legality of this advice from the Chief Solicitor and for this point to be subsequently clarified in the minutes.

6. **HAMPSTEAD HEATH SPORTS ADVISORY FORUM MINUTES**

The minutes of the Hampstead Heath Sports Advisory Forum meeting held on 5 February 2018 were received.

A Member questioned the validity of the minuted point that there was a sewage leak at Kenwood House. The Superintendent confirmed that the minutes were correct and did not require amendment.

7. **SUPERINTENDENT'S UPDATE**

Members considered an update report of the Superintendent and the following points were made:

Divisional Plan

- The Superintendent advised Members that the columns “status” and “update” had been added to the Divisional Plan.
- The Superintendent advised that due to a duplication of Project 3.5 in the 2017/18 Divisional Plan, an additional project has been developed (3.14) to separate the events and cultural strategies and develop a broader cultural strategy.

- Other changes to the Divisional Plan included:
 - 3.12 (Develop the Hive) – this project is on hold and will go to Gateway 7 for closure due to the cost of the conversion being considerably higher than first planned. Other options would be looked at.
 - 3.14 (Develop the Cultural Strategy) – this project will be led by the new Principal Curator of Keats House (Rob Shakespeare). The Superintendent advised that the project would take longer than July to complete and he would provide an update along with the project plan at the next meeting.
- In response to a query regarding what the relationship was between the cultural strategy and events strategy, the Superintendent advised that they work together and consequently play, events and culture would be given greater emphasis in the Management Plan. A Member recommended looking again at that the word “culture” as this has a broader meaning than what it is being used for.
- A Member queried what the initial thoughts for the Hive Building were. The Superintendent advised that a wider study looking at capacity of a number of Heath buildings including the Lido, Clubhouse and Parliament Hill Staff Yard, was planned to explore opportunities for providing additional learning spaces, volunteering and information hubs. It was noted that this would be added to Divisional Plan Project 1.12.
- The Superintendent drew Members’ attention to the Hampstead Heath Shared Use Pathways Final Draft Report (Appendix 2) and noted that the Highgate Wood, Conservation & Trees Manager had circulated Member’s feedback from the HHCC walk regarding the different types of surface materials proposed in the report. It was noted that Members would like further information on the surfacing options proposed in the report and an updated report would be circulated to Members.
- The Superintendent welcomed feedback from Members regarding waymarking and the proposed colour scheme of signage. The following comments were made:
 - Members discussed the colour scheme and subsequently agreed that it made sense to follow the recognised national colour scheme for cyclists to avoid confusion.
 - Some Members were also mindful of the signage being in keeping with the rural aesthetic of the Heath.
 - A Member felt that some clarification was needed regarding the term “prohibited routes”.
 - The Deputy Chairman noted that the timber posts were quite low down and easily mud splattered covering the colour on the post. The Superintendent advised that these would need to be cleaned regularly to ensure they remained visible.
 - It was agreed “no cycling” painted on the path in yellow was the clearest indicator and Members were pleased the concrete pads would be removed.

Planning

- **The Water House, Millfield Lane, 2017/3692/P.** The Superintendent advised that planning permission had been granted. Ground protection measures would be put in place to ensure the protection of three veteran trees along Millfield Lane. In response to a question, the Superintendent advised that the project would take approximately 57 weeks, that safe passage for walkers would be maintained and Light Commercial Vehicles with a gross vehicle weight of not more than 3.5 tonnes were being used to facilitate the development.
- **Parliament Hill William Ellis School, 2017/5395/P.** The Superintendent noted that the Operational Services Manager was a member of the Community Working Group representing the Heath. In addition, the Highgate Wood, Conservation & Trees Manager was engaged in discussions with the constructor regarding the protection of trees, notably a large oak.
- **Athlone House.** The Superintendent noted that the Highgate Wood, Conservation & Trees Manager was liaising with the developer regarding the impact of the works on boundary trees.
- **Capo de Monti.** It was noted that this was spelt incorrectly in the report and should read “Capo” not “Capri”.

Extreme Weather

- The Superintendent advised that storms and extreme weather in January, most notably Storm Eleanor, David and Georgina, had caused damage to 18 trees across Hampstead Heath and led to a number of closures at Golders Hill Park and the Hill Garden in compliance with the Division’s Extreme Weather Event Protocol.

Constabulary

- The Superintendent noted that there have been two recent prosecutions in relation to cycling.
- The Superintendent advised Members that a restructuring of the Constabulary was taking place and was now at the personal consultation stage which would end next month.

City Surveyors Cyclical Work Programme

- The Superintendent advised that a new fence at South End Green had been erected and the land was recovering nicely. Members were pleased.
- The Superintendent noted that the final stage of desilting was taking place at the Mixed Pond and that new planting bays would be completed next week, and it would take some time for the remaining silt currently in suspension to settle. Members felt this was a big improvement.
- The Superintendent noted that works to install the Solar Panels at the Lido had been completed and the work to reroof the Men’s changing rooms was ongoing.

City of London Corporation (Open Spaces) Act 2018

- The Superintendent was pleased to advise that the City of London Corporation (Open Spaces) Act 2018 had received Royal Assent and thanked Members for their support and work on drafting the Act.
- A Member queried how the Act would assist in setting new policies and its scope. The Superintendent advised that the bill sets out the requirement to consult prior to implementing specific policies relating to the Act.

Hampstead Heath Cafés

- The Superintendent noted that three-year leases had been agreed for the Parliament Hill Café, Golders Hill Park Café and Parliament Hill Lido Café.
- In response to a question, the Superintendent advised that lessons had been learnt and that moving forward the role of the Café Working Party would be focused on the Parliament Hill, Parliament Hill Fields Lido and Golders Hill Park Cafés, as the Consultative Groups covering Highgate Wood and Queen's Park would be involved in the discussions relating to these cafés. The Terms of Reference for the Café Working Party would be updated to reflect this change in focus. Members requested an update on timelines and the methodology.

Swimming

- The Superintendent advised that there were a number of ongoing issues at the Men's Pond regarding inclusivity, access, improved signage and the routes to payment. These issues were being discussed with both the Swimming Forum and the Sports Advisory Forum.
- At the Swimming Forum on 6 March 2018 outline proposals were presented for the Men's Pond to create a fully accessible facility.
- A further meeting has been arranged with representatives of the Highgate Men's Pond Association to discuss the proposals. The Superintendent advised that the intention was to engage with the summer season swimmers and a further update will be provided to Members at their meeting in July.
- The Superintendent noted that the changing cubicles at the Mixed Pond had been repaired.
- The Superintendent advised that there were a number of ongoing issues relating to the buildings at the Ladies' Pond that were being addressed.
- Following a written complaint from a member of the public regarding dogs being permitted in the changing compound, the Superintendent undertook an investigation where it was found that a past member of staff working at the facility had informally allowed a number of swimmers to bring their dogs into the changing compound, in contravention of the site notices, bylaws, and without authority from the City of London. The investigation also revealed that Lifeguards often received verbal complaints from swimmers regarding the presence of dogs within the changing compound. The City of London acknowledged that the previous arrangements were wrong and would be working to ensure that the bylaws were correctly upheld at this facility maintaining consistency across the Heath's facilities.

- The City of London Constabulary undertook a two-week period of informal information sharing at the Men's Pond and during this time Constables spoke to many swimmers at the facility.
- Following the information sharing, the Constabulary commenced the process to enforce the bylaw at this facility, in line with enforcement arrangements across other facilities at the Heath, including the playgrounds, cafés, Parliament Hill Lido and the Ladies' and Mixed Bathing Ponds.
- It was noted that there was a small number of swimmers who felt very strongly that dogs should be permitted within the changing compound. The Superintendent, Constabulary and the Senior Swimming Supervisor have sought to work with these individuals and the Highgate Men's Pond Association to resolve this matter.
- A Member advised that they had been contacted by a swimmer proposing a range of alternative arrangements to manage swimmers bringing their dogs into the facility. The Superintendent confirmed that a number of alternative arrangements had been considered including the introduction of a permit system. This had previously been discussed with representatives from the Highgate Men's Pond Association, and with the wider group of Swimming representatives at the Swimming Forum on 6 March 2018. Following careful consideration, it was concluded that a permit system would not be appropriate and would not resolve the issues.
- In order to help resolve the issue, the City of London has installed a temporary cycle parking area inside the entrance to the Men's Pond, where swimmers may tether their dogs. This is a temporary measure whilst wider consultation on the proposals for improving access is undertaken. These proposals include an area for cycle parking and dog tethering closer to the pond.
- Unfortunately, two members of staff working to construct this temporary cycle parking area were verbally and physically assaulted by a swimmer. The Superintendent has since written to the swimmer to inform them that this behaviour will not be tolerated by the City of London.
- The Chairman of the United Swimmers Association has emailed the Superintendent to formally protest to the changes at the facility and the enforcement of the bylaw preventing dogs from entering the changing compound.
- The Constabulary will continue to visit the facility on a regular basis and generally the bylaw is being complied with, although it is understood a petition is now being promoted.
- In response to queries regarding why this decision had been made, the Superintendent advised that a complaint had been received regarding dogs being in the Men's Pond changing compound and following this the City of London was working to ensure that the bylaws are correctly upheld at this facility to maintain consistency across the Heath's facilities.
- A Member noted that the bylaw did not ban dogs but rather allowed for a sign to be implemented. The Queen's Park & Constabulary Manager confirmed the bylaw allowed for signage to be installed prohibiting dogs from an area.

Signage to this effect has been in place at a number of facilities across the Heath, including playgrounds and the swimming facilities for many years.

- A Member questioned the resource and reputational implications of enforcing this bylaw. The Superintendent advised that the Lifeguards had reported difficulties in managing swimmers with dogs and felt that this presented an unmanageable issue for staff. It was agreed that a consistent approach across Hampstead Heath was necessary.
- A Member noted that the tethering area for dogs needed to be in eyesight of the pond to ensure safety/calmness of the dog and alleviate swimmer's concerns of dognapping.

Events

- The Leisure & Events Manager encouraged members to attend the upcoming Highgate Harriers Night of 10,000m Personal Best event on 19 May. For the first time in Britain, the event also hosts the European 10,000m Cup competition. Other highlights include a Q&A with sports stars.
- The Leisure & Events Manager noted that the English National Cross-County Championships on 24 February had been hugely successful with a record number of participants. The two shire horses brought onto the Heath to undertake chain harrowing to aid the ground recovery following this event had been successful and received a positive response from the public.

RESOLVED – that:-

- Members note the contents of this report;
- Members provided feedback in relation to the recommendations presented in the Shared Use paths report (appendix 2) as outlined in paragraph 5.

8. 2018 MANAGEMENT PLAN FRAMEWORK

Members considered a report of the Superintendent of Hampstead Heath regarding the Hampstead Heath 2018 Management Plan which had reached another important milestone in its development and the following points were made:

- The Projects Management & Support Officer noted that this was to mark progress with the development of an Outcomes and Measurement Framework for Hampstead Heath and to set out the next steps for completion of the Management Plan.
- In response to a question from a member about what the Management Plan would include, the Projects Management & Support Officer stated that the Management Plan would not exceed 20 pages to ensure a more concise and readily updated document than the 2007 Management Plan.
- The Projects Management & Support Officer invited Members to put themselves forward to engage in the final stages of the development of the Management Plan.
- Various comments were made on the Heath Vision which was included as an appendix to the report. The Projects Management & Support Officer advised

Members that the Heath Vision had been discussed with Members in detail in July 2017 and was approved by the HHHWQPC on 27 September 2017, and therefore no changes would be made to the wording. A Member noted an idea on the scale of difficulty based on the length of sentences and highlighted that there were a number of sentences within the Heath Vision that reached the very difficult to understand level. The Projects Management & Support Officer agreed take this into account when writing the Management Plan. A Member noted potential contradictions in the language as different users of the Heath visit for different reasons and therefore have different views on what is needed. It was noted that the local community fought for 175 years to ensure the Heath was kept open and to protect the Heath as an open space and felt it was important that people were educated on this fact.

- In response to a query, the Projects Management & Support Officer clarified that the 2007 Management Plan contained 100+ essential actions and the aim was to ensure the 2018 Management Plan addressed the higher-level strategies with actions and details captured in the Divisional Plan and the Annual Work Plan. The purpose of the Management Plan is to provide a strategic framework for making decisions about matters that cross-over a range of management issues and to enable a balance to be found.
- A Member noted that the outcomes-approach provided an excellent framework and questioned whether the proposed schedule for completion of the Management Plan enabled adequate time for consultation. The Projects Management & Support Officer noted that stakeholders and forums would be engaged with as it develops.
- The Chairman queried the imperative for completion of the Management Plan by a particular date or whether was it possible to extend the schedule. In response, the Superintendent confirmed that the Management Plan must be completed before the end of 2018. A Member noted that consultation undertaken in preparation of the Management Plan had been effective, but that timing needed to be realistic to continue this inclusive approach. Members recommended that presentation of the Management Plan to HHHWQPC for approval ought to be delayed until November to allow more time for review and for consultation.
- In reference to the Outcomes and Measurement Framework, the Deputy Chairman questioned how much engagement there had been with Local Councils, particularly around social inclusion, as they would hold relevant data and would want to be involved to aid their own strategic plans.

RESOLVED – that:-

- Members were supportive of the proposed steps set out for the finalisation of the Hampstead Heath Management Plan.
- Members recommended that the timeframe for finalisation of the Management Plan be extended to ensure adequate time for consultation.
- The views of the Hampstead Heath Consultative Committee are conveyed to the Hampstead Heath, Highgate Wood and Queen's Park Committee.

9. **OPEN SPACES EVENTS POLICY PART 1 - POLICY FRAMEWORK & PART 2 - SITE SPECIFIC GUIDANCE FOR HAMPSTEAD HEATH**

Members considered a report of the Superintendent of Hampstead Heath regarding the Open Spaces Events Policy including the Policy Framework and site-specific guidance for Hampstead Heath. The following points were made:

- The Superintendent thanked the Advisory Group (Helen Payne, John Beyer and Nick Bradfield) for their work and support on this project.
- It was noted that Part 1 of the Events Policy was reviewed by the Open Spaces Committee that morning for feedback and Members were invited to provide comments which would be fed into the process.
- It was noted that interaction between Parts 1 and 2 required further attention. Members concentrated on Part 2.
- A Member highlighted contradiction between the two parts and felt that the language and specifically wording regarding environmental protection was much better in the Act, specifically reference to “material injury”. The Deputy Chairman added that similar comments around the language and understanding were made in the Open Spaces Committee meeting that morning.
- It was noted that “other events” stated under item 4(b) Frequency and timing required clarification.
- A Member felt that clarification was needed to the description under item 4(c) Scale which states that events requiring temporary structures to be erected will be limited to areas defined as Zone A in the Schedule of Locations. The Member questioned if this may potentially restrict consideration of desirable events in the future. For example, in the past Parliament Hill Fields hosted an ice skating rink which proved very popular in winter months.
- A Member queried whether ethical considerations could be included in the policy.
- Members discussed the event scales provided in item 6.3 Table 1. Some Members felt the threshold for consultation with Members should be lower. The Member for Hampstead Garden Suburb Residents’ Association proposed that this threshold be reduced to medium-scale events. This was supported by the member for Heath & Hampstead Society. A Member also questioned whether three months’ notice for a medium sized event of up to 2,000 people was enough as this was a significant sized event.
- A Member found the information provided regarding the event application criteria a useful tool and felt that worked examples would be helpful, particularly in the initial months, and examples of how the Officer Event Group had put this into practice in the first 12 months.
- A Member noted that many of the surfaced paths listed under Zone A (item 5 Event Locations) also go through Zone C and sought clarification. The Projects Management & Support Officer stated that this was applicable for events that covered a wider area, for example trail and running events and that the conditions appropriate to each Event Zone would be applicable.

- A Member noted that the Pergola ought to be listed in the Schedule of Event Locations alongside the Hill Garden.

RESOLVED – that:-

- Members give feedback in relation to the draft Hampstead Heath Site Specific Policy (Appendix 2);
- Members give feedback in relation to the proposed event zones, as set out in the schedule of locations (Appendices 2b & 2c);
- The views of the Hampstead Heath Consultative Committee be conveyed to the Hampstead Heath, Highgate Wood & Queen's Park Committee at their meeting on 23 May 2018.

10. **HAMPSTEAD HEATH PONDS AND WETLAND STRATEGY**

Members considered a report of the Superintendent of Hampstead Heath regarding the Hampstead Heath Ponds and Draft Wetlands Strategy and the following points were made:

- It was noted that the Marylebone Birdwatching Society were supportive of recommendation to restrict public access to the island, and the draft outline of the Hampstead Heath Ponds and Wetlands Strategy.
- A Member queried whether access to the Model Boating Pond Island could be cut off completely with the removal of the land bridge. The Superintendent advised this had been considered previously and had been rejected on the basis that it could cause a health and safety risk of people swimming to the island.
- In response to a suggestion that the wording be changed to state that the public be permanently excluded from this area, the Superintendent advised this could not be done under the 1871 Act.
- The Superintendent advised that netting was already being removed in order to open up the bays and the fencing would gradually be reduced as the aquatic planting matured.
- A Member queried whether the monitoring had considered the surrounding areas and to what extent the increased number of birds was attributable to the MBP mock-island. Was it therefore enough to warrant the change of management focus from a pond for recreational pursuits to a water fowl reserve? The Senior Ecologist responded that these areas were rare with the aim being to increase these habitats not substitute them.
- A Member suggested replacing the fencing with the attractive, unused gate currently located next to the Parliament Hill tennis hut and hawthorn hedges; Members agreed this was a good idea.
- It was noted that protecting the island was initially designed to ensure the protection of the trees located on it.
- A Member recommended referencing the extensive hydrology survey within the document.

- It was noted that the Ponds and Wetlands Strategy should include Kenwood House Estate.

RESOLVED – that:-

- Members discuss and provide feedback on the options for the future management of the Island as set out in paragraph 14;
- Members supported the recommendation to restrict public access to the island and were in agreement with the proposed approach set out in the draft Hampstead Heath Ponds & Wetlands Strategy.
- The views of the Hampstead Heath Consultative Committee be conveyed to the Hampstead Heath, Highgate Wood and Queen's Park Committee at their meeting on 23 May 2018.

11. QUESTIONS

There were no questions.

12. ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT

The Chairman gave special thanks to Meg Game, Senior Ecologist, who was retiring this week after 15 years working at Hampstead Heath. The Committee echoed this thanks and congratulated Meg on all her valuable contributions to the Heath and the Committee.

The Chairman also gave thanks to Conservation Ranger Phil Stead, who would also be retiring in April after 30 years working at Hampstead Heath.

A Member noted that small electric vehicles were now being used on the Heath and suggested that they should carry prominent markings publicising the fact that they were electric as this would be good publicity for the Heath "going green".

13. DATE OF NEXT MEETING

The date of the next meeting of 9 July 2018 at 7.00pm in the Parliament Hill Conference Room was noted.

The meeting ended at 9.10 pm

Chairman

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