

HAMPSTEAD HEATH CONSULTATIVE COMMITTEE

Monday, 8 July 2013

Minutes of the meeting of the Hampstead Heath Consultative Committee held at Education Centre, the Lido, off Gordon House Road, Hampstead Heath, NW5 on Monday, 8 July 2013 at 7.00 pm

Present

Members:

Jeremy Simons (Chairman)
Virginia Rounding (Deputy Chairman)
Xohan Duran (Representative of People with Disabilities)
Colin Gregory (Hampstead Garden Suburb Residents' Association)
Michael Hammerson (Highgate Society)
John Hunt (South End Green Association)
Susan Nettleton (Heath Hands)
Helen Payne (Friends of Kenwood)
Mary Port (Dartmouth Park Conservation Area Advisory Committee)
Susan Rose (Highgate Conservation Area Advisory Committee)
Steve Ripley (Ramblers Association)
Ellin Stein (Mansfield Conservation Area Advisory Committee/Neighbourhood Association)
Richard Sumray (London Council for Sport and Recreation)
Simon Taylor (Hampstead Rugby Club)
Jeremy Wright (Heath & Hampstead Society)

Officers:

Alistair MacLellan	- Town Clerk's Department
Simon Lee	- Superintendent of Hampstead Heath
Jonathan Meares	- Conservation and Trees Manager
Declan Gallagher	- Operational Services Manager
Paul Maskell	- Leisure and Events Manager

1. APOLOGIES

Apologies were received from Ian Harrison (Vale of Health Society).

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

There were no declarations.

3. MINUTES

3.1 Minutes of the Meeting held on Monday 11 March 2013

The minutes of the meeting held on Monday 11 March 2013 were agreed as a correct record, subject to John Beyer being listed as representing Jeremy Wright.

Matters Arising

Minute Circulation

The Chairman noted that there was now a target to circulate draft Consultative Committee minutes within a fortnight of the Committee meeting. At the request of Colin Gregory it was agreed to include where possible the names of persons making comments before the Committee.

National Grid Fencing

In response to a question from Jeremy Wright the Superintendent replied that fencing instituted by the National Grid during repair work was due to be replaced shortly. It is planned that the new fencing will be of the stockproof specification used elsewhere on the Heath, protection was needed to allow germination of vegetation.

Gas Leaks

The Superintendent reported that the National Grid had been present on 8 July to carry out gas main repairs outside of the Education Centre. In response to a comment from Susan Rose on the poor state of the path next to the Men's Pond following gas leak repair works, the Superintendent replied that he was conscious that this needed to be dealt with.

Dog Walking

The Chairman informed the Committee that, further to concerns over the use of the Heath by commercial dog walkers, a paper would be presented to the Committee at its next meeting in October.

Affordable Art Fair – Second Event Proposal

The Superintendent briefed the Committee over the Affordable Art Fair's proposal to hold an event entitled 'Grow London', a contemporary garden show. He noted that it would need to be dealt with outside of the Committee cycle and that a report would be circulated for the Committee's views that would then be submitted to the September meeting of the Hampstead Heath, Highgate Wood and Queen's Park Management Committee.

In response to a proposal by Richard Sumray to focus on the theme of sustainability, the Chairman noted that this would complement one of the Lord Mayor-elect's chosen themes for her year in office. The Leisure and Events Manager added that the theme of sustainability lay at the heart of Grow London's ethos.

In response to a question from Michael Hammerson, the Superintendent confirmed that local groups would be involved in the second event.

Planning Decisions around the Heath

The Superintendent reported that a public inquiry had now been initiated into the London Borough of Camden's decision on the Garden House planning application. He added that the City of London Corporation had appointed a planning consultant to draft a submission on its behalf, to be submitted to the inquiry.

3.2 Minutes of the Meeting held on Monday 8 April 2013

The minutes of the meeting held on Monday 8 April 2013 were approved as a correct record subject to:

- Ryland's being corrected to Rylands on page 13

4. REPORTS OF THE SUPERINTENDENT OF HAMPSTEAD HEATH:-

4.1 Update on the Hampstead Ponds Project

The Superintendent introduced the update on the Hampstead Ponds Project, noting the Communication and Engagement Strategy had been revised and that he would welcome the comments of the Committee. He stressed that the key issue was the revised timetable for the project: that it had become clear in mid-April that the initial timetable did not allow for an appropriate level of consultation and therefore the City of London Corporation had worked with Atkins to develop a fresh approach.

He continued by noting that as part of this approach Atkins was currently finalising a Constrained Options Report that would be issued to the Committee later that week. It is intended that Atkins will incorporate in the report comments from the Ponds Project Stakeholder Group to date to enable further discussion at the next workshop of the Stakeholder Group on 13 July, at which the proposed height of the dams will be discussed.

In relation to the height of the dams, the Superintendent noted that the key factor was the ability of the dams to cope with a worst-case scenario storm event. He stated that earthen dams will prevent the need for more heavily engineered structures and that there was an inherent trade-off between the aesthetics of the dams and heavier engineering elsewhere on the Heath: for example, a slightly larger earthen dam in one location would avoid the need for heavily engineered structures elsewhere.

The Superintendent informed the Committee that the ecological and environmental impact of the project would be discussed at the Stakeholder Group workshop on 13 July. He went on to say that preferred options will have been identified by September 2013 and that these would go out for consultation by November 2013. This entire process of the expanded consultation was costing the City of London Corporation a significant amount more money but nonetheless it was felt that this reflected the importance the Corporation placed on ensuring all relevant persons had the opportunity to engage with the project.

He informed the Committee that in terms of procurement, the process had been restarted and that the current six contractors would be narrowed down to a short list of four. This shortlist would then be shared with stakeholders and representatives of that Group would be given the opportunity to be involved in the appointment of the preferred candidate.

The Superintendent concluded by saying he was aware of the potential for a Judicial Review. He noted that the London Borough of Camden had recently issued a letter of information to residents downstream of the ponds to inform them of the risks associated with the collapse of the dams.

The Committee then discussed the report. In response to a request from Jeremy Wright the Superintendent agreed to circulate a copy of the London Borough of Camden letter.

In response to a request by Susan Rose, the Superintendent said that the baseline risk management report gathered by Atkins would hopefully be available for the Stakeholder workshop.

John Hunt noted that he was concerned over the lack of emphasis to date on the ecological and environmental issues associated with the Ponds Project and that he hoped this was indeed addressed at the Stakeholder workshop on 13 July. He hoped that measures were put in place to mitigate any damage done to the Heath by implementing compensatory works elsewhere. The Superintendent noted that he had discussed the principles of the project with Atkins extensively and that they were aware of the principles of mitigation and compensation.

Referring to the potential for a Judicial Review, Colin Gregory said that he hoped that all parties engaged in dialogue to attempt to achieve a common understanding and avoid a Judicial Review if at all possible.

Jeremy Wright intervened by saying neither party wanted a Judicial Review. He stated that the objective of the Heath and Hampstead Society was to ensure the legal minimum of work was undertaken on the Heath. Given that the management of the Heath was enshrined in law, he stated that the law must be the starting-point when planning the management of the Heath. He continued by expressing regret over the fact the City of London Corporation had not shared its advice from Counsel with the Heath and Hampstead Society. As a result of this he noted that the Society had recently taken its own specialist legal advice and it had subsequently shared a four page summary of this advice with the City of London Corporation. He repeated the Society's regret that, following this sharing of their legal advice, the Corporation continued to refuse to share its own. He concluded by expressing the hope that the Corporation would meet with the Society to discuss the situation, and that this could be done without prejudice. He finished by saying that the Society would have to consider its position if the Corporation continued to refuse to share its legal advice or meet to discuss the situation.

Richard Sumray added that the Corporation's communications plan for the Ponds Project included a commitment to openness and transparency, yet this principle did not seem to be in evidence in this particular case. He stated that even if the Corporation did not agree with the Heath and Hampstead Society's specialist counsel, there was a need to enter into dialogue in order to reach an agreement to avoid Corporation officers' time being absorbed in matters that detracted from the successful and timely implementation of the Ponds Project.

He finished by suggesting that a desire to keep aspects of the project confidential would be potentially damaging to the Corporation in terms of its reputation and perceived ethos.

The Chairman replied by stating that the Corporation and other interested parties shared the same goal and a common objective for the project and its impact, and that to this end the Corporation had employed an independent landscape architect to ensure the project had the minimum impact on the Heath. He noted that the invitation for a formal meeting with the Heath and Hampstead Society had not yet been received but that nevertheless following similar concerns expressed to him at the Committee Walk on Saturday 6 July he would be seeking advice from the City Solicitor, suggesting that a meeting with the Chairman of the Heath and Hampstead Society take place. He noted that the City Solicitor was currently on leave; he would be responding to the Society during the week commencing 15 July. He concluded by saying that all parties no doubt wanted a common position but the position of the Corporation must be recognised: the Corporation was responsible for any loss of life in the event of catastrophic event causing damage to the dams. Therefore the City was doing all it could to proceed with deliberate speed to mitigate this risk.

Jeremy Wright assured the Chairman that the Heath and Hampstead regarded itself as a 'critical friend' that hoped for the minimum amount of work necessary to ensure the Ponds Project was completed successfully.

In response to a comment by Susan Nettleton both the Chairman and the Superintendent assured her that environmental objectives would be given due consideration at the Stakeholder workshop on 13 July. Furthermore, the Superintendent committed to meeting with Susan Nettleton regarding the role of Heath Hands in communicating the rationale for the Ponds Project.

Susan Rose noted that other local bodies aside from the Heath and Hampstead Society shared its concerns over the impact of the Ponds Project, but they did not have its level of expertise or resources in communicating this concern. She asked that dialogue take place between the City of London Corporation and local bodies, rather than one body in particular.

Richard Sumray agreed but stated that nevertheless given its role to date they were happy for the Heath and Hampstead Society to take the lead in dialogue over legal issues.

Xohan Duran commented on the need to keep attendees to a minimum to ensure a useful dialogue took place.

4.2 Management Work Plan for Sandy Heath Ride

The Conservation and Trees Manager introduced the Management Work Plan for the Sandy Heath Ride, noting that it followed on from two similar work plans from 2012. He concluded by highlighting the objective of a tiered effect either side of the pathway once the project had been completed.

The Committee proceeded to discuss the work plan:

In response to an observation from Jeremy Wright, the Conservation and Trees Manager agreed to examine whether there should be different management on opposing sides of the path due to varying sunlight.

In response to a question from Michael Hammerson the Conservation and Trees Manager agreed to examine the potential impact on habitat that the cutting of the fringe vegetation would have.

In response to a question from Colin Gregory the Conservation and Trees Manager said that the Corporation had tried to introduce heather in the past but these efforts had been subject to arson. Michael Hammerson observed that some heather was present on Sandy Heath.

Susan Nettleton remarked that she supported the aims of the work programme.

The Chairman requested that the thanks of the Committee be referred back to the report author.

4.3 Progress Report on Enhancement of Landscaping Works to Bull Path and Surrounding Area at Parliament Hill Fields

The Operational Services Manager introduced the progress report on the enhancement works to the Bull Path and surrounding areas, noting that work had commenced in February 2013.

Mary Port expressed her support for the works and her congratulations for the achievements to date. She raised some concerns over the hedge along the Highgate Road and hoped that the entrance sketch on page 75 would become a reality.

The Superintendent added that further consideration would be given to the Swains Lane entrance, and that mowing would be relaxed behind the tennis courts to promote the overall aims of the enhancement works.

Jeremy Wright added his congratulations and noted he used the Bull Path around four times per day, meaning that the enhancement works were, for him, a marked improvement. He expressed the hope that seating would be soon be made available.

Colin Gregory noted that there was currently an initiative to plant wild flower meadows to mark the 60th Anniversary of The Queen's Coronation and that this may be something to consider for the Heath.

In response to a remark by Ellin Stein, the Superintendent noted that the shrubbery by the tennis courts had been taken out in 2012 with a view to promoting a meadow. Jeremy Wright noted that until a few years ago three types of buttercup had been present on the grass alongside the Bull Path, and that a return to such wildflower diversity would be welcome.

In response to concerns raised by Jeremy Wright and Mary Port, the Superintendent said that he would discuss the issue of new cycle stands with them outside of the meeting, noting in the meantime that it was important for the stands to be visible in order for them to provide security for the cycles.

4.4 Review of Sustainable Planting

The Operational Services Manager introduced the Review of Sustainable Planting, noting that he had received favourable comments from members of the public to date and that he hoped the Committee would similarly agree that the project had been a success.

In response to a question from Colin Gregory, who stated his support for the project, the Superintendent replied that the evergreen oaks would be trimmed during the winter, but that the geometric pattern envisaged in the project would likely not become apparent for at least five years.

Richard Sumray similarly welcomed the project, noting in particular the addition of the Stumpery.

In response to comments from Helen Payne and Colin Gregory the Superintendent agreed that the sustainable planting represented ongoing educational value and that there was potential for a weekend tour in 2014 and tuition during Autumn 2013. Furthermore, after a suggestion by Susan Nettleton, he agreed that a leaflet could be made available.

In response to a question from Michael Hammerson the Superintendent agreed that the Stumpery would be a unique deadwood habitat that would be worth monitoring to gauge the species that it attracted. He noted that the idea for a Stumpery had arisen after a Staff Visit to Highgrove and that the former Head Gardener there had agreed to come and help install the Golders Hill Park Stumpery.

4.5 Sports Update

The Leisure and Events Manager introduced the Sports Update to the Committee, highlighting some of the major events that had taken place on the Heath. These included the recent 10,000m athletics event, the City Dip, and the second Hampstead Heath Tug of War. He concluded by welcoming the new Hampstead Rugby Club representative Simon Taylor and noting that Richard Sumray had taken over as Chairman of the Sports Forum

Richard Sumray updated the Committee on current sports issues, suggesting that the contract with British Military Fitness be continued. He noted that the last Sports Forum had had a verbal presentation from the London Orienteering Klub and that a presentation on the future use of the Lido was forthcoming.

The Superintendent briefed the Committee on the proposal to use portable battery powered floodlights on the Heath for sports. He noted that it was

proposed to use them two nights a week to allow teams such as Hampstead RFC to train on more than one pitch, to prevent pitches from being damaged through over-use.

In response to a question from Michael Hammerson, the Operational Services Manager noted that staff dealt with imprints in the soil arising from sports by power harrowing. Richard Sumray added that despite widespread concern over damage to turf in Greenwich Park prior to the Olympics, the ground there had recovered very quickly.

The Leisure and Events Manager noted that large events such as the London Youth Games and the South East Cross Country Championships had a long affiliation with the Heath and it was hoped that this would continue. Nevertheless, recognising the potential of these events to damage the Heath in the event of poor weather he suggested that the practice of inviting Committee members on pre-event walks be revived.

In response to a question from Michael Hammerson the Superintendent explained that the term 'reorienting the lido' referred to the fact that the café was not sustainable in its present location and therefore The possibility of providing service to outside of the lido compound was being considered.

5. QUESTIONS

In response to a question from Colin Gregory it was agreed that the Town Clerk's Department would circulate 2014 and 2015 meeting dates to the Committee.

6. ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT
Annual Dinner

The Chairman noted that the Annual Dinner of the Management Committee would take place on Tuesday 22 October in Saddlers' Hall. Members of the Consultative Committee would be invited and it was expected that invitations would be issued at the beginning of September.

7. DATE OF NEXT MEETING

The Chairman noted that the next Hampstead Heath Consultative Committee meeting would take place on Monday 28 October at 7:00pm in the Education Centre, the Lido, off Gordon House Road, Hampstead Heath, NW5.

He added that the next Hampstead Heath Consultative Committee Walk would therefore take place on Saturday 26 October.

These dates replace the walk and meeting originally scheduled for Saturday 2 November and Monday 4 November respectively.

The meeting ended at 8.25 pm

Chairman

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