



## Hampstead Heath Consultative Committee

**Date:** MONDAY, 9 MARCH 2015

**Time:** 7.00 pm

**Venue:** PARLIAMENT HILL CONFERENCE ROOM, PARLIAMENT HILL STAFF YARD, PARLIAMENT HILL FIELDS, HAMPSTEAD HEATH, NW5 1QR

**Members:**

Jeremy Simons (Chairman)	Mary Port (Dartmouth Park Conservation Area Advisory Committee)
Virginia Rounding (Deputy Chairman)	Stewart Purvis (Vale of Health Society)
Xohan Duran (Representative of Disabled Users of the Heath)	Harunur Rashid (Bangladesh Social Forum)
Colin Gregory (Hampstead Garden Suburb Residents' Association)	Susan Rose (Highgate Conservation Area Advisory Committee)
Michael Hammerson (Highgate Society)	Steve Ripley (Hampstead & District Ramblers' Association)
Dr Gaye Henson (Marylebone Birdwatching Society)	Ellin Stein (Mansfield Conservation Area Advisory Committee)
John Hunt (South End Green Association)	Richard Sumray (London Council of Sport and Recreation)
Nigel Ley (Open Spaces Society)	Simon Taylor (Hampstead Rugby Club)
Joanne Mould (London Wildlife Trust)	David Walton (Representative of Clubs using the Heath)
Susan Nettleton (Heath Hands)	John Weston (Hampstead Conservation Area Advisory Committee)
Helen Payne (Friends of Kenwood)	Jeremy Wright (Heath and Hampstead Society)

**Enquiries:** David Arnold  
David.Arnold@cityoflondon.gov.uk  
020 7332 1174

Dinner will be served in the Parliament Hill Café at 9pm  
**NB: Part of this meeting could be the subject of audio or video recording**

John Barradell  
Town Clerk and Chief Executive

# **AGENDA**

1. **APOLOGIES**

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

3. **MINUTES**

To agree the public minutes and summary of the meeting held on 3 November 2014.

**For Decision**  
(Pages 1 - 10)

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

To receive the public minutes of the Hampstead Heath Sports Advisory Forum meeting held on 9 February 2015.

**For Information**  
(Pages 11 - 16)

5. **SUPERINTENDENT'S UPDATE**

The Superintendent to be heard.

**For Information**

6. **HAMPSTEAD HEATH PONDS PROJECT UPDATE**

Report of the Superintendent of Hampstead Heath.

**For Discussion**  
(Pages 17 - 24)

7. **OPEN SPACES LEGISLATION**

Report of the Superintendent of Hampstead Heath.

**For Information**  
(Pages 25 - 32)

8. **ANNUAL REPORT ON HAMPSTEAD HEATH CONSTABULARY FOR 2014**

Report of the Superintendent of Hampstead Heath.

**For Information**  
(Pages 33 - 52)

9. **UPDATE REPORT ON HAMPSTEAD HEATH - PUBLIC SEX ENVIRONMENT OUTREACH WORK**

Report of the Superintendent of Hampstead Heath.

**For Discussion**  
(Pages 53 - 62)

10. **LANDSCAPE IMPROVEMENT WORKS AT THE NORTH END ROAD ENTRANCE INTO GOLDERS HILL PARK**

Report of the Superintendent of Hampstead Heath.

**For Information**  
(Pages 63 - 74)

11. **LANDSCAPE IMPROVEMENT WORKS AT PARLIAMENT HILL (KITE HILL),  
HAMPSTEAD HEATH**  
Report of the Superintendent of Hampstead Heath.  
**For Information**  
(Pages 75 - 86)
12. **UPDATE ON TREE SAFETY MANAGEMENT AT THE NORTH LONDON OPEN  
SPACES DIVISION**  
Report of the Superintendent of Hampstead Heath.  
**For Information**  
(Pages 87 - 102)
13. **ELEVEN YEARS OF PLANT MONITORING ON HAMPSTEAD HEATH**  
Report of the Superintendent of Hampstead Heath.  
**For Information**  
(Pages 103 - 126)
14. **PROVISIONAL ADDITIONAL WORKS PROGRAMME 2016/17**  
Report of the City Surveyor.  
**For Information**  
(Pages 127 - 140)
15. **HILL GARDEN PERGOLA**  
Report of the City Surveyor.  
**For Information**  
(Pages 141 - 160)
16. **QUESTIONS**
17. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT**
18. **DATE OF NEXT MEETING**  
To note the date of the next meeting to be held on Monday 6 July 2015.  
**For Information**

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## **HAMPSTEAD HEATH CONSULTATIVE COMMITTEE** **Monday, 3 November 2014**

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, 3 November 2014 at 7.00 pm

### **Present**

#### **Members:**

Jeremy Simons (Chairman)  
Xohan Duran (Representative of Disabled People)  
Colin Gregory (Hampstead Garden Suburb Residents' Association)  
Michael Hammerson (Highgate Society)  
Dr Gaye Henson (Marylebone Birdwatching Society)  
John Hunt (South End Green Association)  
Nigel Ley (Open Spaces Society)  
Susan Nettleton (Heath Hands)  
Helen Payne (Friends of Kenwood)  
Mary Port (Dartmouth Park Conservation Area Advisory Committee)  
Stewart Purvis (Vale of Health Society)  
Susan Rose (Highgate Conservation Area Advisory Committee)  
Steve Ripley (Hampstead & District Ramblers' Association)  
Ellin Stein (Mansfield Conservation Area Advisory Committee)  
Richard Sumray (London Council of Sport and Recreation)  
Simon Taylor (Hampstead Rugby Club)  
Jeremy Wright (Heath and Hampstead Society)

#### **Officers:**

David Arnold	Town Clerk's Department
Bob Warnock	Superintendent of Hampstead Heath
Katherine Radusin	PA to Superintendent of Hampstead Heath
Jonathan Meares	Conservation and Trees Manager
Declan Gallagher	Operational Service Manager
Paul Maskell	Leisure and Events Manager
Meg Game	Hampstead Heath Ecologist
Adrian Brooker	Ecologist
Richard Gentry	Constabulary and Queen's Park Manager
Paul Monaghan	Assistant Director of Engineering, Department of the Built Environment
Esther Sumner	Ponds Project and Management Support Officer

### **1. APOLOGIES**

Apologies for absence were received from Virginia Rounding (Deputy Chairman), Joanne Mould (London Wildlife Trust), David Walton (Representative of Clubs using the Heath), and John Weston (Hampstead Conservation Area Advisory Committee).

## **Chairman's Welcome**

The Chairman welcomed a new member, Stewart Purvis of the Vale of Health Society to the Committee and noted that Joanne Mould, although not present, would in future represent the London Wildlife Trust.

The Committee also paid tribute to the late Mr Ian Harrison's outstanding contribution to the Hampstead Heath Consultative Committee and to the Heath in general. He had represented the Vale of Health Society on the Consultative Committee for 25 years.

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

Simon Taylor (Hampstead Rugby Club) declared a non-pecuniary interest in item 11 on the agenda, a report of the Superintendent of Hampstead Heath regarding Hampstead Rugby Club's request for a third rugby pitch.

### **3. MINUTES**

**RESOLVED** – That the public minutes of the meeting held on Monday 2 June 2014 be approved as a correct record, subject to the following amendments:

#### **Gateway 4c – Detailed Design: Hampstead Heath Ponds Project**

Work on the catchpit was being carried out to ensure there was a lesser impact on other areas of the Hampstead Chain of ponds, not the Highgate chain.

#### **Ladies Pond Fatality Report**

Richard Sumray supported the way that the City had dealt with issues associated with the induction of new swimmers and the possible installation of a second platform.

#### **Matters Arising**

In response to a question from Jeremy Wright, the Assistant Director of Engineering advised that the Design Phase Quantitative Risk Assessment (QRA) would be completed and made available after the detailed design had been finalised.

### **4. HAMPSTEAD HEATH SPORTS ADVISORY FORUM MINUTES**

The Committee received the draft public minutes of the Hampstead Heath Sports Advisory Forum meeting held on Monday 22 September 2014.

Richard Sumray advised that a review of differentiated sports charges had been put on hold until the City of London Corporation had reviewed its future financial challenges. He also added that the Sports Advisory Forum had supported Hampstead Rugby Club's request for a third rugby pitch.

**RESOLVED** – That the draft minutes of the Hampstead Heath Sports Advisory Forum be noted.

5. **SUPERINTENDENT'S UPDATE**

The Committee received a verbal update from the Superintendent regarding the following Hampstead Heath matters:

**THE FINANCIAL CHALLENGE**

The Superintendent of Hampstead Heath advised the Committee that the Open Spaces Department was required to find £2.189 million of savings over the next three years. Members were advised that savings were weighted to the final year, with £595,000 savings required in 2015/16, £682,000 required in 2016/17 and £912,000 required in 2017/18. A new grant application would be submitted to Bridge House Estates in 2015 to fund education and volunteer programmes within the Department. This represented a significant contribution towards the 2015/16 required savings of £595,000. In response to a question from Susan Rose, the Superintendent explained that of the £2.189 million of savings, £835,000 were required from Hampstead Heath assuming that the application to Bridge House Estates was successful.

The proposals would be developed across three areas: activities, operational efficiencies, and generating income. Activities would continue to be delivered to a high standard, whilst looking at the possibility of using third-party providers for sports facilities, attracting sponsorships for sports events, and increasing the income generated. Fees and charges and the development of new income streams would be reviewed across the Department. A significant area of work would focus on increasing income from the refreshment concessions across the Department as well as looking to develop new concessions.

In response to question from Richard Sumray, the Superintendent advised that further reports would be presented to the Consultative Committee as proposals were developed.

In response to a question from Jeremy Wright, the Chairman advised that the Open Spaces Department had not been required to contribute an undue proportion of savings compared to other departments; the Open Spaces Department was in a position to bid for Bridge House Estates funding, unlike most other departments.

**INTRODUCTION OF DOG CONTROL ORDERS AT BURNHAM BEECHES**

The Superintendent advised that Dog Control at Burnham Beeches would begin on 1 December 2014 and would be reviewed after 18 months, at which point a report regarding the possibility of introducing further controls at the Heath would be presented to the Committee.

In response to a question from Colin Gregory, the Superintendent advised that the proportion of restricted areas at Burnham Beeches had been reduced to around half the site due to representations and objections.

## **PROPERTY**

### **Parking Consultations**

The London Borough of Barnet had carried out a consultation on parking restrictions on Wildwood Road, adjacent to Hampstead Heath Extension. The City was satisfied that the proposal would not have an operational impact on the management of the Heath and would not significantly affect parking facilities for visitors to the Heath.

The London Borough of Camden was undertaking consultation on Controlled Parking Zones (CPZs) on CA-U, Highgate. They were currently seeking views as to whether CPZs should be introduced at weekends. Members were advised that the City opposed the introduction of Sunday restrictions, and changes to the current CPZ arrangements.

### **Lido**

Replacement of the gates and posts at the Lido entrance from Gordon House Road commenced in late September 2014. Morton Partnership Ltd had been appointed to carry out the design work for rebuilding of the Lido boundary wall. Draft designs were expected shortly and repairs would be undertaken between March and May 2015. In addition, the City Surveyor's Departments would be undertaking works to the Lido Café building as part of the Additional Works Programme. This work was scheduled to be carried out between November 2014 and April 2015.

### **Golders Hill Park**

Members were advised that the toilets near the children's playground reopened in July 2014 and had operated successfully throughout the school summer holidays. The Park Team would arrange more regular tank cleaning and the City Surveyor's Department continued to investigate a longer-term solution.

## **PLANNING**

### **Archway Tower**

The Superintendent reported that the planning appeal submitted by Essential Living was granted by the Planning Inspectorate on 7 August 2014.

### **The Water House**

The Superintendent advised that he had appointed Consultants to undertake a critical review of the applicant's documentation regarding the impact of construction traffic on Millfield Lane.

### **Athlone House**

The applicant submitted an appeal for non-determination of this planning application on 20 June 2014. Camden Council progressed the application to Committee and determined that had an appeal not been lodged, the Council would have refused planning permission. Three reasons for refusal were given; which related to the impact on Metropolitan Open Land, the lack of a Basement Impact Assessment and the lack of a legal agreement requiring sustainable construction.

The Council's notification letters of the appeal to third parties were sent out on 2 September 2014, which gave four weeks to submit comments to the Planning Inspectorate. Following an intervention from the Highgate Society, this was extended to the end of October 2014.

Members were advised that the Comptroller & City Solicitor had instructed a barrister from Landmark Chambers to provide advice and guidance on the submission of further evidence to the Planning Inspector. The Superintendent had also instructed a Consultant to review the additional information prepared by the applicant relating to the Basement Impact Assessment and impacts on hydrology.

A pre-inquiry meeting was held with the Inspector for all interested parties on 22 October 2014. The City applied to be included as a Rule 6 Party at the upcoming Inquiry. The City's role at the Inquiry would be largely supportive to the Planning Authority but would recognise the City's stewardship role of the Heath. The City would proffer its own case on the detrimental impact on Metropolitan Open Land posed by the proposed development. Members were advised that the Inquiry date was 10 February 2015 and it was currently due to run for 12 days.

### **WEDDINGS AND CIVIL CEREMONIES**

The Superintendent advised Members that five ceremonies had taken place during the summer: four on the Pergola and one in the Hill Garden. The feedback received from attendees had been very positive. There were currently six confirmed bookings scheduled for 2015 and a further two bookings for which deposits were expected shortly.

### **STAFF**

Members were advised of the following recruitment matters:-

- The new Senior Zoo Keeper & Engagement Officer had now been in post for 11 weeks.
- A City Business Trainee was based at Heathfield House for seven weeks. She had worked on the Weddings & Civil Ceremonies brochure as part of her internship, as well as undertaking 60-second surveys at Highgate Wood, Queen's Park and Parliament Hill.
- A vacant post in the Tree Team had now been filled, returning this team to a full complement of 4 staff by the end of the year.
- Two new Constabulary Officers had been recruited internally and were likely to start in early December 2014.

### **CONSTABULARY**

The Superintendent advised that the Hampstead Heath Constabulary had responded to 1,627 incidents as of the end of September 2014, which resulted in 12 arrests and 714 formal warnings/Penalty Charge Notices (car parking) where a Hampstead Heath byelaw had been breached. The arrests included a wanted sex offender, who was arrested on West Heath on two separate occasions, and two suspects who were arrested outside the Men's Pond after stealing property from swimmers.

Members were also advised that the Constabulary had been restructured to comprise of two Sergeants, eight Constables and two Constable/Dog Handlers.

In response to a question from Colin Gregory, the Superintendent advised that three prosecutions took place in September 2014: one person was fined £90 for a Dog Control offence; one person was fined £220 plus £375 costs for a Dog Control offence; and one person was fined £55 twice plus £100 costs for a cycling offence.

### **Dog Control Action Plan**

The next phase of the Action Plan would include a meeting with dog walkers who use the Heath. The Constabulary would be inviting dog walkers of three or more dogs to an awareness and engagement event on the Heath to facilitate a 'user group' atmosphere and provide advice on all aspects of how the Heath supports responsible dog walking.

### **KENWOOD HOUSE**

The Superintendent advised he was working with the Head of Historic Properties from English Heritage to develop a new scheme of joint signage which would be installed at all major entry points to both the Heath and Kenwood Estate. The signs would include a large scale map, information about facilities and activities across the sites as well as acknowledging HLF's contribution to the 'Caring for Kenwood' and the 'Wild About Hampstead Heath' Projects. They would also promote the work of Heath Hands and set out visitor's responsibilities.

Members were advised that a joint report seeking approval to install the signs would be presented to the Kenwood Landscape Forum and the Consultative and Management Committees in early 2015.

### **AWARDS**

The Superintendent reported that Golders Hill Park was awarded a London in Bloom Gold Award for Large Parks over 25 acres in September 2014 and was also the category winner.

## **6. HAMPSTEAD HEATH PONDS PROJECT UPDATE**

The Committee received a report of the Superintendent of Hampstead Heath regarding the Hampstead Heath Ponds Project. The report advised Members that progress towards a final scheme for the Ponds Project was continuing alongside Camden's consideration of the planning application and the Judicial Review.

The Ponds Project and Management Support Officer advised that the remaining Ground Investigations (GIs) at Hampstead No.1, Catch Pit and Stock Pond, which had been delayed due to nesting birds, were carried out successfully in early September 2014. Members were also advised that an underwater assessment of the 1950s slab supporting the Ladies' Bathing Pond changing facilities found that it was not in good condition and a future report would likely recommend its replacement.

In response to questions from Helen Payne and Jeremy Wright, the Ponds Project and Management Support Officer advised that tree works would be scheduled for early 2015 ready for enabling works to start in April 2015, subject to successful outcomes to the Judicial Review and the planning application in November and December respectively. Jeremy Wright added that the Judicial Review would take place on 13 and 14 November 2014 at the Royal Courts of Justice and noted that the hearing was open to the public.

In response to a question regarding the Ponds Project Stakeholder Group, the Superintendent advised that arrangements for sharing information during the works had been discussed with the PPSG. He also explained that the consultation phase had been completed and the next priority was to share information with visitors, neighbours and stakeholders about what was happening on the Heath and to promote routes around the work sites. Updates and tours of the site would be available to members.

The Chairman concluded this item by advising members that the Ponds Project and Management Support Officer would provide a further update at the next Consultative Committee meeting.

**RESOLVED** – That the report be noted.

**7. REVIEW OF ANNUAL WORK PROGRAMME 2014**

The Committee received a report of the Superintendent of Hampstead Heath that provided a review of the Management Operations and activities carried out on the Heath over the past 12 months as part of the 2014 Annual Work Programme, and considered the new 2015 Annual Work Programme.

The Conservation and Trees Manager advised that the control of tree disease had been well maintained despite the difficulties of having to deal with an extensive clean-up operation following the unusually wet winter in 2013/14. He added that all four members of the Heath's Tree Team were now qualified as LANTRA Professional Tree Inspectors.

The Conservation and Trees Manager reported that the Conservation Team had successfully trialled the use of a widely used vegetable die to control algae growth at the Whitestone Pond. As a result, work to control algae growth was now a monthly instead of a weekly process. In response to a question from Mary Port, the Ecologist advised that the Highgate No. 1 pond would be re-opened as soon as they were satisfied that the level of algae was safe for dogs. He added that they would continue to check that discarded fishing tackle had been removed from all of the fishing ponds regularly to reduce the risk of harm to wildlife, especially to swans and water fowl.

Members were advised that a wildflower strip was to be introduced next to the rugby pitch on the heath extension, which a member had suggested on the recent Consultative Committee walk. In response to a question regarding the control of bramble, the Ecologist reported that it had extended recently but no attempt would be made to eradicate it as it was a useful habitat on the Heath. In response to a question, the Ecologist agreed that dog faeces tended to be

deposited in rough grassland, which increased nutrients and encouraged unwanted species such as thistle.

The Chairman encouraged members of the Consultative Committee to provide their detailed comments on the 2015 Annual Work Programme to the Conservation and Trees Manager.

**RESOLVED** – That the work undertaken during 2014 to enhance the natural aspect and designed landscapes within the Heath and the proposed 2015 Annual Work Plan, be noted.

8. **MANAGEMENT WORK PLAN FOR THE HAMPSTEAD FLEET STREAM COMPARTMENT**

The Committee received a report of the Superintendent of Hampstead Heath regarding a Management Work Plan for the Hampstead Heath Fleet Stream compartment. The Assistant Ecologist advised members that the compartment had been divided into nine distinct sections for easier description of the site and more structured management aims.

With regards to the works required as part of the Ponds Project that would have some influence on the ecology in the Lime Avenue-Catchpit section, John Hunt noted that the unusual flora in this area would need to be protected. He and Michael Hammerson added that the areas adjacent to the Hampstead Fleet Stream that were of importance to fungi should also be protected.

The Chairman advised members that the Management Work Plan was at final draft stage so any further comments would be welcomed by the Superintendent.

**RESOLVED** – That the report be noted.

9. **HAMPSTEAD HEATH EDUCATION CHARGING REPORT**

The Committee received a report of the Superintendent of Hampstead Heath regarding the adoption of a 'per session' charging structure for the Hampstead Heath Schools Programme, which was approved by the Hampstead Heath, Highgate Wood and Queen's Park Committee in September 2014.

In response to question from Jeremey Wright, the Leisure and Events Manager advised that they were confident the new structure would be effective. Ninety-seven percent of users of the Hampstead Heath Schools Programme responded positively when asked in daily surveys if the sessions represented good value for money.

In response to a question from Michael Hammerson, the Leisure and Events Manager advised that the London Metropolitan University had carried out some research relating to the Ladies' Bathing Pond and there would be scope for further University-led research in the future.

**RESOLVED** – That the adoption of the new charging structure be noted.



10. **FEES AND CHARGES REPORT**

The Committee received a report of the Superintendent of Hampstead Heath that set out the proposed fees and charges for a range of facilities and services provided at the Heath for 2015/16.

In response to a question from Richard Sumray, the Superintendent advised that the cost of the weekly two hour tennis coaching sessions had increased by more than 2.4% because benchmarking of other tennis coaching providers in the area showed that the previous charge was very low. He added that the reason for the increased adult all-swimming facilities six month season ticket charge was due to the fact that the six month season ticket for the Lido only was the same price, which was an oversight. In the past, customers had been reluctant to buy a Lido season ticket when they could get more usage from the all-facilities ticket.

In response to a question from Simon Taylor, the Operational Services Manager advised that there was little difference between the proposed charges for the Athletics Track compared with Ealing Council's charges for Perivale Park Athletics Track. Simon Taylor suggested that a quarterly season ticket be considered for the Athletics Track at the Heath. The Operational Services Manager explained that the administration cost of introducing another ticket would outweigh the benefits.

In response to a question regarding the charges for swimming at the mixed ponds, the Superintendent advised that the daily charge would remain the same but swimmers would not be excluded if they chose not to pay. From time to time, staff would be required to manage crowds queuing to enter the facilities and would use these opportunities to encourage swimmers to pay if they had not done so already.

**RESOLVED** – That the proposed fees and charges for 2015/16 be noted.

11. **HAMPSTEAD RUGBY CLUB REQUEST FOR A THIRD RUGBY PITCH.**

The Committee received a report of the Superintendent of Hampstead Heath that set out a request received from Hampstead Rugby Club to create an additional third rugby pitch on the Hampstead Heath Extension. Members were advised that the request met the guidelines set out in the Hampstead Heath Management Plan for alterations to existing sports provision or the creation of new sports facilities in designated sports areas.

In response to a question from David Walton submitted before the meeting, the Operational Services Manager explained that slitting and vertidrainage would be carried out as sports provision was now included in the Annual Work Plan.

The Committee expressed broad support for the creation of the additional rugby pitch on the Heath Extension and wished to highlight the excellent work carried out by Hampstead Rugby Club.

**RESOLVED** – That the request for a third rugby pitch on the Hampstead Heath Extension be noted and supported.

12. **HAMPSTEAD HEATH EVENTS PROGRAMME, JANUARY - OCTOBER 2014**

The Committee received a report of the Superintendent of Hampstead Heath that detailed the success of the Hampstead Heath Events Programme from January to October 2014. Members were advised that the 2014 Programme consisted of over 110 sports, wellbeing, and cultural events, which would have engaged with over 80,000 members of the public by the end of 2014. It was also noted that the England National Cross-Country Championships would be returning to the Heath on Saturday 21 February 2015.

The Leisure and Events Manager advised that paid events had so far generated income of over £160,000 before costs, which was important during current financial challenge. He thanked his staff for their commitment during this busy event period which was echoed by the Committee, who also thanked the Leisure and Events Manager for his important contribution.

In response to a question from Michael Hammerson, the Leisure and Events Manager advised that courses on the ecology of the Heath could be provided in the future as part of the Education Programme. This may also be an extra source of income for the Heath.

**RESOLVED** – That the success of the Hampstead Heath Events Programme in engaging audiences on the Heath through sports, wellbeing, and culture, be noted.

13. **QUESTIONS**

There were none.

14. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT**

There was none.

15. **DATE OF NEXT MEETING**

**RESOLVED** – That the date of the next meeting of the Hampstead Heath Consultative Committee on Monday 9 March 2015, be noted.

**The meeting ended at 9.05 pm**

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Chairman

**Contact Officer: David Arnold**  
**David.Arnold@cityoflondon.gov.uk**



## Hampstead Heath Sports Advisory Forum

Parliament Hill meeting room

9<sup>th</sup> February 2015, 6.30pm

### Members:

Richard Sumray (Chairman)	RS	HHCC (London Council for Sports and Recreation)
Nigel Robinson	NR	Camden Council (Head of Sport & Physical Activity)
Marc Hutchison	MH	Hampstead Heath Winter Swimming Club, H & HS
Simon Taylor	ST	Hampstead Rugby Club
Natasha Cendrowicz	NC	Highgate Harriers
David Bedford	DB	Representing Athletics on Hampstead Heath
Dave Walton	DW	London Heathside Athletics

### In attendance:

Jeremy Simons	JLS	Chairman of the Hampstead Heath, Highgate Wood and Queen's Park Committee
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### Officers:

Bob Warnock	BW	Superintendent of Hampstead Heath, City of London
Declan Gallagher	DG	Operational Services Manager, City of London
Paul Maskell	PM	Leisure and Events Manager, City of London
Paul Jeal	PJ	Senior Swimming Supervisor
Kate Radusin (notes)	KR	PA to Superintendent of Hampstead Heath, City of London

ITEM		ACTION
1.	<b>Apologies</b>	
	Virginia Rounding, Richard Priestley, John Carrier and Rudolph Benjamin.	
2.	<b>Minutes of the previous meeting (22.9.14) and matters arising</b>	
	Accepted.  BW gave an update on the Service Base Review, sports feasibility study. DG is currently drafting an Opportunity Outline and an Organisational Impact Assessment. Working in parallel to this, consultants have been approached for quotations to undertake a feasibility study.	<b>DG</b>
3.	<b>Swimming Issues</b>	
	<p><u>Swimming rep on the Sports Advisory Forum</u> PM confirmed 2 candidates had been put forward. A vote will be held at the next Swimming forum meeting (2.3.15) to confirm the appointment of one or both candidates. Agreed that the Sports Forum will accept the decision of the Swimming Forum.</p> <p><u>Ladies' Pond closure as part of the HHPP</u> A meeting is scheduled (8am on 10.2.15) and reps from Mixed/Men's/Ladies' Pond, the Winter Swimming Club and CoL will attend. CoL has set out H&amp;S parameters, and outlined the changes to timings/lightings which will need to be implemented. Arrangements to be agreed and in place by November 2015, when the Men's Pond will be de-silted.</p>	

<b>4.</b>	<b>Lido</b>	
	<p><u>Lido boundary wall</u> The build design has been agreed, with works expected to start in March – for the facility to re-open in April. The fencing/planting options will be discussed at the Lido user group meeting (21.2.15), and information will also be taken to the Swimming forum meeting (2.3.15). AWP Café works – schedule has slipped by 8 days due to the weather – the Contractors are endeavouring to make up the slippage and finish on time.</p> <p><u>Update on investigations into the water loss of water at the Lido</u> Investigations are on-going. Leaks from the balance tank have been ruled out, and further CCTV investigations into the pipework under the pool lining will take place. City Surveyors are looking into warranties.</p> <p><u>Temporary Pool in Camden</u> NR provided details of a proposal to install a 25m temporary heated pool at LSU for the summer. It was agreed that this would not conflict with the Lido and that there would be advantages to mutual advertising. NR/PM will discuss further.</p> <p><u>Hypothermia issues</u> PJ updated the group – this is becoming an issue at the Lido, with swimmers 'pushing themselves to the limit'. PJ has had to issue a member of the public with a warning, due to the frequency of incidences occurring where an ambulance had to be called to treat them.</p> <p>PM/PJ will compose a standard letter to keep on file which can be issued to swimmers, and will consider the best method to record evidence of 'repeat offenders' behaviour. Leaflets giving information about Hypothermia will also be sourced to hand out.</p>	<p><b>NR/PM</b></p> <p><b>PM/PJ</b></p>
<b>5.</b>	<b>Update on the Bowls Club and Croquet Club</b>	
	<p>Agreed that DG will invite both Clubs to present at the next meeting. Neither of the Clubs have managed to meet KPI 4 – increasing membership by 25%.</p> <p>NR will pass information to PM/DG regarding 'exercise on referral' and community exercise programmes in Camden.</p>	<p><b>DG</b></p> <p><b>NR</b></p>
<b>6.</b>	<b>Update on Mid-Sumer Trail run</b>	
	PM/DB have met with organisers (the Armoury) and will have input regarding the routes. PM in discussions with Park Run regards giving up a Saturday run for the Trail run. Highgate Harriers have agreed to provide coaching and assist with stewards on the day. PM will agree the route with the organisers.	<b>PM</b>
<b>7.</b>	<b>Update on 2015 Hampstead Heath diary publication</b>	
	<p>40k copies issued in 2014. Agreed that members of the forum will provide PM with update information/contact details for their related groups/sports by the end of February.</p> <p>NR will provide PM with details of where the 2015 diary can be made available to the public in Camden.</p>	<p><b>ALL</b></p> <p><b>NR</b></p>
<b>8.</b>	<b>Update on Events</b>	
	<p><u>London Youth Games/London Cross Country Championships 15.11.14</u> Record number of entrants and Boroughs entering.</p>	

	<p><u>Phish outdoor Swimming championships 17<sup>th</sup> January 2015</u> Very successful, second year of the event. 200 swimmers participated. Will hold again in 2016.</p> <p><u>English National Cross Country Championships 21<sup>st</sup> February 2015</u> 8,797 Athletes have entered – highest number of entrants since 1995. First race 11am, last race 3pm. PM will send JLS the invitation list for Camden.</p> <p><u>Highgate Harriers Night of 10,000 m 'personal bests' 16<sup>th</sup> May 2015</u> Event will be used as the British and English National Championships and as the GB trials for European team Athletics Cup.</p> <p><u>Lord Mayor's City Dip. 10<sup>th</sup> -11<sup>th</sup> July 2015</u> Event raised £2k last year – PM arranging for a Sherriff to attend. Teams entering will be given prioritised entry for the Duathalon.</p> <p><u>Give it a go 12<sup>th</sup> July 2015</u> Members of the forum to put anyone wanting to participate in touch with PM.</p>	<p><b>PM</b></p> <p><b>ALL</b></p>
<b>9.</b>	<b>Any Other Business</b>	
	<p>3<sup>rd</sup> Rugby pitch approved by Hampstead Heath, Highgate Wood and Queen's Park Committee. ST has met with CoL staff to discuss arrangements when the ground conditions improve. A grant has been secured for the posts.</p> <p>Agreed monthly email updates will be circulated by CoL.</p> <p>DW would like a Heath Extension cross country event to be considered. Concerns were raised regarding the suitability of this location. Agreed that DW/PM/DG would discuss further at a separate meeting.</p> <p>Athletics Track H&amp;S improvements funded by Rugby Club. ST will pass information and quotes to DG. NC will feedback to the Highgate Harriers regards the proposals.</p> <p>Green Gym – Agreed that HH will be considered as a location, and NR will arrange a desk-top analysis of suitability. NR/PM /DG will discuss arrangements further.</p> <p>PH Tennis courts 8/9/10 currently closed due to aggregate issues. DG/PM meeting with specialists w/c 16.2.15 to discuss.</p>	<p><b>BW/PM</b></p> <p><b>DW/PM/DG</b></p> <p><b>ST/DG NC</b></p> <p><b>NR/PM/DG</b></p> <p><b>DG/PM</b></p>
<b>10.</b>	<b>Date of the next meetings</b>	
	<p><u>Next meeting</u> 11<sup>th</sup> May 2015, 6.30pm, Parliament Hill Meeting Room.</p> <p><u>Proposed dates for upcoming meetings</u> 14<sup>th</sup> September 2015, 6.30pm, Parliament Hill Meeting Room. 25<sup>th</sup> January 2016, 6.30pm, Parliament Hill Meeting Room.</p>	

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## PARLIAMENT HILL OUTDOOR GYM PROPOSAL

### Background

The London Borough of Camden has invited the City of London to register an expression of interest in having an Outdoor Gym at Parliament Hill. This is subject to Camden undertaking an assessment of need, with the ultimate aim of targeting their investment to have the greatest impact on physical inactivity within the Borough

The Outdoor Gym programme aims to provide people with a way to enhance their fitness and health in an outdoor environment. It can be seen as enabling people to get fit who would not normally attend a conventional gym or sports centre. Camden installed 9 Outdoor Gyms 6 years ago, funded by Public Health Research. This programme suggests there are genuine benefits to many user groups which include:

- Overcoming barriers to exercise, such as cost and accessibility
- They are often installed next to children's playgrounds, thus encouraging parents to use the fitness equipment while their children play.
- Aimed at all fitness levels
- Low-impact and intuitive to use - instructions are also included, which often use interactive signage
- Traditional keep-fit apparatus, such as pull-up bars and hurdles, tends to be used by the already athletic
- Health benefits are associated with increased physical activity
- Many variations of equipment can be tailored to the site
- Perfect for small spaces

If a location at Parliament Hill is selected, it is anticipated that Camden would fully fund the installation and the first five years of maintenance, however Camden have indicated that if the City of London was able to make capital contribution this would strengthen the case.

If Parliament Hill was successful, a conditional requirement would require a structured programme of instruction to maximise use of the Outdoor Gym, especially for priority groups such as young, older and disabled users and women. These are groups that may have limited experience of physical activity, or those who need reassurance that they are in a safe setting. The bid will include resources to support and develop capacity for this via a volunteer development programme, which the City of London, as the host site, would manage once established.

The Project Plan for this is still to be finalised but Camden are working towards the following milestones:-

- Procurement and site selection February – April 2015.
- Site selection and consultation phase during summer April – July 2015.
- Initial works to begin in early autumn 2015.
- Volunteer development and capacity building following site completion March 2016.



### **Possible Locations**

To comply with the Hampstead Heath Management Plan any proposed locations would need to fall within the designated Parliament Hill sports area (referred to as 'Sports area A' in the Management Plan). This could include:-

1. Trim trail (next to Parliament Hill traditional Playground).
2. Dukes Field (adjacent to Tennis courts 8, 9 & 10). This is used informally but not sure whether it fits sports area A.
3. Lido triangle (located between the Lido and Railway embankment).
4. Petanque rink (triangle behind Tennis courts 1, 2 & 3).

### **Consultations**

The Sports Advisory Forum are supportive of the proposal. The Superintendent is seeking the views and comments of the Consultative Committee, and the Hampstead Heath, Highgate Wood and Queen's Park Committee. The Superintendent will also approach the London Borough of Barnet to establish whether similar funding is available, which may be applicable to Golders Hill Park.

### **Next Steps**

Subject to selection by Camden, and Committee approval to explore the opportunity, the Superintendent will prepare a Business Case to evaluate the proposal and develop a strategy for managing the facility in the long term, including the identification of the costs involved.



<b>Committee(s)</b>	<b>Dated:</b>
Hampstead Heath Consultative Committee – For Discussion	9 March 2015
Hampstead Heath, Highgate Wood and Queen's Park Committee – For Information	23 March 2015
<b>Subject:</b> Hampstead Heath Ponds Project – update report	<b>Public</b>
<b>Report of:</b> Superintendent of Hampstead Heath	<b>For Discussion</b>

## Summary

The Ponds Project has continued to progress since the Gateway 5 – “Authority to Start Work” report in January 2015.

Camden Council's Development Control Committee granted planning consent on 15 January 2015 and, according with the published programme, site preparation works commenced on 2 February 2015, and are scheduled to last approximately four weeks. Works will be managed through to completion by the City's Project Team together with the contract partners – Bam Nuttall (Constructor), Atkins (Lead Designer) and Capita (Cost Consultant).

Construction works will commence in April 2015. The 18 month construction programme should be completed in October 2016.

## Recommendation:

Members are asked to:

- Note the report.

## Main Report

### Background

1. The Ponds Project was initiated following a series of hydrological studies which revealed that in the event of a severe storm, there was a risk that the reservoirs on Hampstead Heath could overtop, potentially leading to erosion and dam failure, putting lives, property and infrastructure at risk.
2. Between 2012 and the summer of 2014, a highly iterative and consultative process was undertaken to consider firstly the design criteria and approach and then a wide range of options. In June 2014, an option for each chain of ponds was selected and approved on the basis that it satisfied the existing requirements of the Reservoirs Act 1975 and the anticipated additional obligations which would fall under the Flood & Water Management Act 2010, whilst preserving the natural aspect and state of the Heath in the most effect manner, in accordance with the

City's duties under the Hampstead Heath Act 1871, and was in accordance with the agreed design principles.

3. Following Committee approval in June 2014, a planning application was submitted to the London Borough of Camden in July 2014 and planning consent was granted by Camden's Development Control Committee, subject to Conditions and Section 106, on 15 January 2015. This has enabled site preparations works to commence on schedule and the anticipated start for construction is April 2015.

### **Planning Conditions and Section 106**

4. As part of the planning application process, planning approval was granted subject to both a Section 106 agreement and various conditions. The Section 106 agreement included the establishment of a Community Working Group, the employment of 3 apprentices, the agreement of a Construction Management Plan and various local employment and local procurement measures. Conditions included approvals of the material finishes for the dams at Mixed, Men's and Highgate No.1 Ponds as well as the Ladies' Bathing facility. Other environmental conditions included dust monitoring and ecological measures, such as a bat mitigation strategy.
5. The timetable for compliance with all the conditions is being carefully monitored by the Project Team to ensure that a timely start on site can be facilitated. Officers will continue to liaise with both colleagues in Atkins and at the London Borough of Camden.

### **Site Preparation**

6. Site preparation works commenced on 2 February 2015, and at the time of writing, the works are going to schedule. Site preparation involves vegetation clearance and tree removal and will take approximately four weeks to complete. This has been timed to have the least impact on wildlife (outside of bird nesting season), and a detailed environmental monitoring exercise took place before work commenced. Approximately 143 trees, mostly category U and C, are being felled and another 35 are being coppiced or pollarded and will be allowed to grow back. The public reaction to this work has been mixed. The felling of the two category A trees at Hampstead No. 2 Pond has caused concern for some, it has been agreed that the felled trees would not remain on-site and the opportunity to re-use the wood would be investigated. People have approached the Contractors to find out why the work is taking place and some have been unhappy that trees need to be removed.

### **Stock Pond**

7. On 30 January 2015, the Ponds Project Stakeholder Group (PPSG) met with Officers from the City of London to discuss the designs for Stock Pond. The PPCG were concerned by the visual and environmental impact of the loss of a group of trees at the south-western corner of the pond. These trees are to be removed to make way for an open channel grass spillway which will direct water

away from the dam and allow water to safely leave the pond in a heavy rainfall event. Because of concerns raised by the PPSG, Atkins were asked to review their design and explain why other options had been discounted. As part of this review Atkins put forward a previously discounted option for a buried box culvert with a drop shaft within the pond. This design has the benefit of reducing some tree loss but does mean a large concrete structure will be located in the pond next to the path in a very visible location. At the site visit, the Stakeholder Group expressed their concerns about the chosen option, preferring instead the box culvert option. It was agreed that the outcome of this discussion would be fed back to the Project Board for a final decision. The tree removal schedule was altered accordingly so that no trees, which would be saved in the box culvert design, would be felled until a decision had been made and this reported back to the PPSG.

### **Community Working Group**

8. As part of the Section 106 agreement, a Community Working Group (CWG) is to be set up in agreement with Camden Council. The remit of this group is to: make recommendations to the City of London and its constructor BAM Nuttall in respect of minimising the impact of the Ponds Project Construction Phase in line with Camden's Considerate Constructor Manual; to receive and consider the City of London and its constructor BAM Nuttall's responses to recommendations made; to review responses to complaints made to the City of London on the management and implementation of the Ponds Project Construction Phase; to be made aware of the information provided through the City of London's website and other media (Facebook, twitter, blog, e-news, leaflets and posters), focusing in particular on information relating to high impact construction activities and mitigation measures. The group will meet monthly, and will be made up of twelve members, eight representing the community, one a swimming representative, the site agent from BAM Nuttall and three City representatives. Minutes will be taken at each meeting, and the first meeting is to take place on Monday 23 February at Parliament Hill Conference Room.

Membership will include:

Chair – Project Director, City of London

Liaison Officer – City of London

1. Highgate Ward Councillor
2. Hampstead Town Ward Councillor
3. Gospel Oak Ward Councillor
4. Chairman of the Heath & Hampstead Society
5. A swimming representative
6. A representative from William Ellis / Parliament Hill School / LaSwap
7. Chairman of the Ponds Project Stakeholder Group/ Fitzroy Park RA
8. A representative from Dartmouth Park CAAC
9. A representative from Hampstead Neighbourhood Forum
10. BAM Nuttall Site Agent
11. Superintendent of Hampstead Heath
12. Assistant Director Engineering (and responsible person under the Reservoirs Act)

## **Ponds Project Stakeholder Group**

9. The Ponds Project Stakeholder Group (PPSG) will continue to meet on a quarterly basis with additional guided site visits throughout the Construction Phase. The PPSG will also be represented on the CWG through it's Chairman, a representative of the Fitzroy Park RA.

## **Communications during construction**

10. A wide range of communications will be used to inform and engage with the public during the Construction Phase.
  - Signs – information and path diversion signs will be displayed at the appropriate entrances to the Heath and around the compound areas.
  - Website – regular updates on the Project and information about path diversions will be posted.
  - Social Media – Twitter and Facebook will be used to send out updates on the Project and a new blog will be set-up to keep the public up-to-date on all aspects of the Project during the Construction Phase.
  - E-bulletin – a regular update on the project will be sent by email to a database of contacts.
  - Leaflets – a series of leaflets will be produced throughout the project which will be handed to Heath visitors and will be made available at various points on the Heath.
  - Staff briefings – Heath staff will be regularly briefed so they are able to answer questions and direct the public to sources of further information.

## **Path Diversions**

11. Officers have worked with BAM Nuttall to ensure the impact of the Project on the Heath visitor is minimised, however, there will be some path diversions which are necessary for the work to take place safely. The timing of these path diversions are subject to change if the programme is altered.

### **Highgate Chain**

- Stock Pond – the causeway across the dam at Stock Pond will be temporarily closed while work takes place on the dam crest. This closure will last approximately one month, starting in November 2015. While this route is closed, the public will be diverted either north of the pond by Kenwood or down Millfield Lane and past the Bird Sanctuary Pond.
- Kenwood Ladies' Bathing Pond – the back gate of this pond will be closed for the duration of the works. Swimmers will be asked to use the main gate while the pond is open and signs will be placed at the pond giving advance warning. During the replacement of the changing facility there will be no-access to the pond.
- Bird Sanctuary – the causeway between Bird Sanctuary and Model Boating Pond will be closed for a period of approximately seven days in October 2015 while the crest is raised. The public will be diverted around the southern end of Model Boating Pond or up Millfield Lane towards Kenwood.

- Model Boating Pond – the paths on the western edge of Model Boating Pond will be closed permanently from April 2015 and an alternative path will be created around the edge of the construction compound, up the hill towards the Tumulus. This path will be in use until the ground around the pond is reinstated in late summer 2016 and the new permanent paths have been created. The causeway between Model Boating Pond and Men's Bathing Pond will be closed for approximately three months while the crest is raised from January to March 2016. The public will be diverted around the northern end of Model Boating Pond or around the southern end of Men's Bathing Pond. Cyclists will be asked to dismount and walk their bikes until they meet the cycle path again. This diversion will be sign-posted well in advance and we will continue to advertise it using the City of London website and social media.
- Men's Bathing Pond – the causeway between Men's Bathing Pond and Highgate No. 1 Pond will be closed for a period of one month from May 2016 while the sheet pile wall is being constructed. The public will be diverted along the causeway between Men's Bathing Pond and Model Boating Pond.
- Highgate No. 1 Pond– there will be a small path diversion while the spillway is being constructed, public will be diverted around the work compound.

#### Hampstead Chain

- Vale of Health – the causeway at Vale of Health Pond will be closed for 7 days while the path is resurfaced in September 2015. The public will be diverted around the Vale of Health itself or onto another path on East Heath.
- Viaduct – the path around the southern edge of the pond will be closed for two months from May to June 2015 while the crest is restored and the spillway built. The public will be diverted across the Viaduct Bridge.
- Catchpit – informal paths will be inaccessible during the works. The public will be diverted around the work compound.
- Mixed Bathing Pond– the causeway at Mixed Bathing Pond will remain open to pedestrians apart from two days in January 2016 when crane works will take place. On these two days the public will be diverted around the southern edge of Hampstead No. 2 Pond, off the Heath, around South Hill Park Gardens and then back to the Heath via Parliament Hill, or to the north of Mixed Bathing Pond, along the Lime Avenue.
- Hampstead No. 2 Pond– the causeway between Hampstead No. 2 Pond and Hampstead No. 1 Pond should remain open with a small diversion off the path during path resurfacing in January 2016.
- Hampstead No. 1 Pond– there will be a small path diversion while construction is taking place, pedestrians will be diverted around the work compound.

#### **Separate work related to the ponds**

12. There are two items of work in process on the Heath which relate to the ponds but are not part of the Ponds Project.

- Bird Sanctuary Overflow Pipe

There are two overflow pipes which transfer water from the Bird Sanctuary Pond into Model Boating Pond during normal conditions. These pipes were due to be inspected on site during the Ponds Project works and retained. However, on New Year's Eve water was spotted coming through part of the dam close to the outfall to one of these pipes. A temporary fix was installed to avoid any further erosion of the dam but this has temporarily reduced the overflow capacity and remedial works need to be carried out as soon as possible. A CCTV survey has now been carried out and works are being planned in coordination with the Ponds Project.

- Ladies' Pond Water Supply Upgrade

As part of the City Surveyor's Additional Works Programme, a project has been started to improve the water supply at the Kenwood Ladies' Bathing Pond. This involves laying a new water pipe from Millfield Lane toilet block to the Ladies' Pond through the end of the Bird Sanctuary. This work is being carried out by the City's term contractor, JB Riney and will be completed before the bird nesting season. The new supply will be terminated short of the changing rooms so that it can be connected into the new facility when it is completed as part of the Ponds Project.

## **Appendices**

- None

## **Background papers**

- CARES Flood Risk Study report
- Haycock Hydrology Improvements Detailed Evaluation Process (HiDEP): Hydrology and Structure Hydraulics and Recommendations Report
- Aecom Peer Review
- Design Review Method Statement
- Design Flood Assessment
- Constrained Options Report
- Shortlist Options Report
- Interim Quantitative Risk Assessment and accompanying Position Paper
- Preferred Options Report
- Strategic Landscape Architect Review
- Ponds Project Public Consultation Report
- Application for planning permission submitted to the London Borough of Camden for engineering works to the Hampstead and Highgate chains of ponds
- Judgment of the Honourable Mrs Justice Lang in R (Heath and Hampstead Society) v Mayor (et al) of the City of London

Background papers are available at [www.cityoflondon.gov.uk/pondsproject](http://www.cityoflondon.gov.uk/pondsproject)

## **Selected previous committee reports**

- Bid Report, July 2009

- Evaluation Report, May 2011
- Project update and appointment of the design team, July 2013
- Preferred Options and Non-Statutory Consultation, November 2013
- Contract Tender Report, January 2014
- Public Consultation Results, January 2014
- Option Selection Report (gateway 4c), June 2014
- Pre-Authority to Start Work Issue Report, November 2014
- Gateway 5 – Authority to Start Work Report, January 2015

Previous committee reports are available at: [www.cityoflondon.gov.uk/committees](http://www.cityoflondon.gov.uk/committees)

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<b>Committee:</b>	<b>Date:</b>
Hampstead Heath Consultative Committee	9 March 2015
<b>Subject:</b> Open Spaces Legislation	<b>Public</b>
<b>Report of:</b> Superintendent of Hampstead Heath	<b>For Information</b>

## Summary

This Report advises the Consultative Committee of an informal consultation concerning possible modifications to the legislation governing the City Corporation's Open Spaces. The main aims of such changes would be to clarify the Corporation's management powers, to provide greater flexibility to generate revenue for the benefit of the Open Spaces, and to strengthen enforcement powers. The Management Committee has agreed that the views of local interest groups should be informally canvassed before any such proposals are advanced, and to this end a public briefing paper (appended to this Report) has been produced. Subject to the views received, it is anticipated that more detailed proposals will be drawn up for consideration by the relevant Committees, with a view to depositing a private Bill in Parliament in November 2015.

## Recommendation

Members are asked to:

- Receive this Report, and to contribute views on the legislation as set out in Appendix 1.

## Main Report

1. The legislation governing the City Corporation's Open Spaces has in most cases served its purpose well for many years. Its age and complexity mean, however, that it is not always easy to operate in practice. Moreover, it arguably fails to reflect the full range of problems and opportunities which arise in the modern-day management and use of the spaces. Following preliminary internal discussions, the Remembrancer and the Director of Open Spaces have formed the view that there may be considerable merit in seeking amendments to the legislation. This could be achieved through the promotion of a private Bill in Parliament (the usual method by which such changes are made).
2. It is thought important, both in practice and as a matter of policy, to engage with local communities and interested parties at an early stage. The Management Committee has therefore agreed that, prior to any steps to draw up a Bill, the opportunity should be taken to canvass views about the potential shape of the proposals from users of the Open Spaces and other local interest

groups. To this end, officers have produced a public briefing paper to explain the possible nature of the changes and to invite views. The paper is appended to this Report. The exercise is informal in nature, as interested parties would have a formal opportunity to put across their views on the detail of the eventual proposals as part of the parliamentary processes applicable to private Bills.

3. The proposals as presently envisaged would be based upon three main objectives: clarifying the general management powers available to the City Corporation in the Open Spaces; providing greater flexibility to generate revenue for the benefit of the Open Spaces, in a way that does not undermine their use for public recreation and enjoyment; and providing more efficient and effective tools to deal with crime, anti-social behaviour and nuisance in the Open Spaces. Further details under each of these heads may be found in the Appendix.
4. Members will note that the proposals are presently framed in general terms relating to the City Corporation's Open Spaces as a whole. Accordingly, not all of the suggestions will necessarily have the same practical relevance to Hampstead Heath. The extent to which the drafting of legislation needs to reflect differences in the circumstances of individual Open Spaces (and in the legal regimes under which they operate) will be considered as the proposals are developed in detail, taking into account the views expressed in response to the consultation.
5. Subject to the views received, it is anticipated that officers will draw up and present to the relevant Committees detailed proposals. If agreed, a private Bill would be prepared for deposit in Parliament in November 2015.

## **Appendices**

- Appendix 1 - Public briefing paper: 'Changing Legislation: A brief explanation of proposed changes to legislation governing the City of London's Open Spaces'

## **Background Papers**

- Report of the Remembrancer and the Director of Open Spaces on Open Spaces Legislation:
  - Open Spaces and City Gardens Committee, 13 October 2014
  - Epping Forest and Commons Committee, 3 November 2014
  - Hampstead Heath, Highgate Wood and Queen's Park Committee, 24 November 2014

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# Changing Legislation

A brief explanation of proposed  
changes to legislation governing the  
City of London's Open Spaces

The City of London  
provides 14 green  
spaces in and around  
London for the benefit  
of local communities.  
Most are registered  
charities operating  
at little cost to the  
general public.



# **IMPROVING THE LEGISLATION GOVERNING THE CITY OF LONDON CORPORATION'S OPEN SPACES**

## **Introduction**

The City of London Corporation owns Open Spaces outside the City of London which together cover almost 11,000 acres and attract an estimated 23 million visits every year. Most are run as registered charities. The City Corporation's involvement goes back to the 19<sup>th</sup> Century when it first joined the fight to protect important green spaces against encroachments by landowners, so that they would be available for the health and recreation of future generations of Londoners.

The City Corporation's Open Spaces are largely governed under special Acts of Parliament, many of which date back to the 1870s. Among the most important of these are the Hampstead Heath Act 1871, the City of London (Various Powers) Act 1877, the Corporation of London (Open Spaces) Act 1878 and the Epping Forest Acts 1878 and 1880, although further powers were obtained from Parliament in the 1930s and 1970s. The legislation has generally stood the test of time and served its purpose well. However, as the years have gone by it has become clear that there are certain areas where the City Corporation's legal powers need to be clarified and brought up to date.

The City Corporation is therefore considering the promotion of a private Bill in Parliament, including new provisions aimed at securing the best possible future for its Open Spaces. The proposals currently in mind can be grouped under three headings:

- 1. Clarifying the general management powers available to the City Corporation in the Open Spaces.**
- 2. Providing greater flexibility to generate revenue for the benefit of the Open Spaces, in a way that does not**

***undermine their use for public recreation and enjoyment.***

- 3. Providing more efficient and effective tools to deal with crime, anti-social behaviour and nuisance in the Open Spaces.**

Further details for each of these headings are given later in this document.

Formal consultation with interested parties on the final proposals will be part of the Parliamentary process. However, the City Corporation would like to share with you at this early stage some general ideas of what might be included, and to hear your thoughts. This will allow your views to be taken into account as detailed proposals are drawn up.

The Open Spaces which could be covered by the proposals are:

- *Ashted Common,*
- *Bunhill Field<sup>1</sup>,*
- *Burnham Beeches,*
- *Coulsdon Common,*
- *Epping Forest,*
- *Farthing Downs,*
- *Hampstead Heath*
- *Highgate Wood,*
- *Kenley Common,*
- *Queen's Park,*
- *Riddlesdown,*
- *Spring Park,*
- *Stoke Common,*
- *West Ham Park,*
- *West Wickham Common.*

Differences in the existing legal regime and in circumstances on the ground will mean that the practical effects of any new legislation may vary from space to space. Legislation might also provide the opportunity to address technical issues specific to particular Open Spaces, although these are not dealt with in this paper.

It should also be noted that many of the rules governing the Open Spaces are set out in

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<sup>1</sup> *Bunhill Field is not a registered charity, is located in London and is managed as part of the City Gardens*

byelaws rather than Acts of Parliament. The proposals referred to in this document would not affect the byelaws in place at each Open Space, any changes to which would be the subject of a separate process.

### **1. Clarifying the general management powers available to the City Corporation in the Open Spaces.**

In relation to its Open Spaces, the City Corporation occupies the dual role of landowner (more particularly charitable trustee) and statutory authority under the applicable legislation. It is not always easy to work out the precise relationship between the City Corporation's statutory powers and its common-law powers as landowner.

To clarify the City of London's management powers and responsibilities, it would be useful to provide in legislation a suite of powers applicable across the Open Spaces, which expressly define the City Corporation's ability to exercise certain general functions of land management. These proposals are not intended to lead to any significant change in the running of the Open Spaces. Rather, they will be directed principally at clarifying the basis on which existing activities are undertaken, and enabling greater consistency of approach.

- ♦ The management of plants, trees and other vegetation is naturally an important part of the City Corporation's work in the Open Spaces. Under much of the current legislation, a duty is imposed to "protect" or "preserve" the vegetation and the "natural aspect" of the Open Spaces. The City Corporation has always applied a common-sense interpretation of this, which does not prevent the carrying out of works to control or manage plant-life where this is part of legitimate land management. Legislation would, however, provide the opportunity to clarify the situation by expressly setting out the appropriate powers. The existing duty to preserve the natural aspect of the Open Spaces would be maintained.

- ♦ Grazing activity is carried out on some of the Open Spaces, and the City Corporation would like to give this a firm basis in legislation. This would, again, be subject to the duties to preserve the "natural aspect" of the Open Spaces, and also to those commoners' rights that are still exercised.
- ♦ The City Corporation would like to have a formal procedure for entering into arrangements with utilities providers concerning utilities infrastructure (such as water pipes or telephone lines) running through the Open Spaces. Sometimes it is beneficial to permit this in the interests of those living or working in and around the Open Spaces, although any proposals are of course carefully scrutinised to make sure that they do not have harmful effects. Such infrastructure is usually underground and has no lasting effect on the amenity of the Open Spaces.
- ♦ It would also be useful to have an express power to enter into arrangements with local councils concerning local roads in and around the Open Spaces. Arrangements could cover, for instance, the installation of cattle grids in council-owned roads, the provision of traffic-calming systems, measures to reduce vehicle damage to verges or the erection of fences besides hazardous stretches of road.
- ♦ In most of the Open Spaces, the City Corporation already has the power to make arrangements for external providers to run services and facilities, for instance cafés, refreshment kiosks and car-parks. However, under powers set out in the 1930s, leases like these are limited to only three years at a time. This limitation produces uncertainty for the providers and naturally makes it difficult to attract the long-term investment needed to ensure a high standard of facility. By removing or extending this limitation the City Corporation could enter into longer-

term arrangements with external providers to run cafés and other facilities. This would bring the situation into line with normal practice at other parks and open spaces.

***The historic three-year limit on contracts discourages many potential business partners. By extending or removing this limitation we can encourage more investment into facilities, and improve quality standards.***

## **2. Providing greater flexibility to generate revenue for the benefit of the Open Spaces, in a way that does not undermine their use for public recreation and leisure.**

As a result of cuts to local and central government spending, combined with wider economic circumstances, the funding of public open spaces has come under considerable pressure in recent years. This is expected to continue for the foreseeable future. The City Corporation's Open Spaces are by no means immune from these pressures. The need for budgetary discipline across the City Corporation's range of activities means that new sources of revenue need to be found.

While the City Corporation's powers as landowner might already give some ability to raise revenue in the ways described below, it would be more transparent and give greater certainty to have the powers set out clearly in legislation, subject to defined processes and controls.

It should be stressed that any revenue raised from the Open Spaces will go directly to the upkeep and management of the Open Space concerned.

- ♦ There are buildings and other areas within the Open Spaces which have the potential to provide attractive venues for those wishing to hold social or professional events. Examples could include weddings and civil ceremonies, conferences and

training courses. Where such events could take place without significant disruption to the visiting public or other harm to amenity, it is considered that they could provide a useful source of revenue for the Open Spaces.

- ♦ Some events do already take place in some of the Open Spaces, in reliance on the City Corporation's general powers as charitable trustee. It is not always clear, however, how these implied powers interact with the statutory schemes which govern the Open Spaces, and difficulties can arise, for instance, if a small area of land needs to be cordoned off for the duration of such an event.
- ♦ The central purpose of the Open Spaces is to provide recreational facilities for the public at large. Any use of that Open Space for private events must not undermine this principle and any interference with public rights of access would therefore be permitted only on an occasional and strictly limited basis. This will need to be stated clearly in any new legislation.

***We already receive many requests to use our buildings for wedding ceremonies. This would always be done sensitively and with consideration for the public.***

- ♦ Views would be welcome on whether we should introduce a scheme of paid licences for those wishing to use the Open Spaces to carry on certain business activities. Examples could include fitness instructors and commercial dog-walkers. The City Corporation's provisional view is that those who use the Open Spaces for private profit should reasonably be expected to make some contribution to the running costs of those spaces. Similar schemes are currently in operation in other open spaces, such as the Royal

- Some of the Open Spaces contain accommodation and other buildings originally designed for staff, but which are no longer required for this purpose. The City Corporation would like to allow private use to be made of these buildings, through appropriate lease arrangements whilst retaining them as the City of London's property.

***Our Open Spaces have many lodges and offices which under current legislation must stand empty if not being used by staff. Renting would provide a good source of income, and help preserve these buildings for the future.***

- Certain of the proposals in section 1 might also give the opportunity to raise revenue, such as those concerned with granting rights for utilities and letting out cafés, although revenue would not be the main focus of these measures.

### **3. Providing more efficient and effective tools to deal with crime, anti-social behaviour and nuisance in the Open Spaces.**

One of the biggest difficulties in managing the Open Spaces is that of people who abuse the advantages they offer, to the detriment of other visitors. Problems include littering or fly-tipping; damage to wildlife or plants; improper use of bicycles or vehicles; camping, barbecues or fires; dog fouling and behaviour; and disorderly or indecent acts.

Existing byelaws are generally wide enough to cover most of the harmful activity which takes place. However, it is considered that the City Corporation's enforcement powers are out of date and have fallen behind those of other managing bodies in similar positions. Legislation would provide the opportunity to modernise these powers in order to make enforcement more efficient and effective.

- Legislation could provide the opportunity to bring the maximum fines under the

byelaws into line with the "standard scale" which applies to equivalent byelaws elsewhere. In most of the City Corporation's Open Spaces the fine is currently fixed at a maximum of £200, an amount which has remained unchanged since the 1970s. Most other public open spaces in and around Greater London apply a "level 2" fine. This is currently £500 but is shortly to rise to £2,000 under government proposals. There would appear to be no good reason for this disparity and it is proposed that "level 2" fines should also apply to the City Corporation's Open Spaces. This would provide a more effective deterrent to those who might infringe the byelaws.

***Linking with the national standard scale of fines will help deter fly-tippers and keep penalties in line with other authorities.***

- A power could be sought to give Fixed Penalty Notices (otherwise known as "on-the-spot" fines) for offences committed under the byelaws. Currently the only means of enforcing the byelaws is to carry out a full prosecution in the magistrates' court. Although effective, this is a time-consuming and costly process, both for the City Corporation and for the person accused. Fixed Penalty Notices give offenders the option of avoiding formal prosecution by paying a smaller fine (usually no more than £100). This is often a more efficient and proportionate way of dealing with misbehaviour. The advantages of Fixed Penalty Notices are already well recognised in the legal system, with legislation in recent years making them available for an increasing number of minor offences.
- Along similar lines, the City Corporation would like to be classed as a "litter authority" for the Open Spaces, so that it would be able to give Fixed Penalty Notices for littering.

***The City Corporation's policing of the Open Spaces focuses on educating users about proper behaviour, rather than formal enforcement. This is not intended to change. Fixed Penalty Notices would, however, offer a lighter-touch option in those cases where misbehaviour is serious or persistent enough to warrant formal sanction.***

- ♦ An express power could be sought to dispose of rubbish and other objects left in the Open Spaces without proper authority. Sometimes it is already clear that the City Corporation can do this in reliance on its general powers to manage the Open Spaces, for instance in the case of general litter. In some cases, however, such as camping equipment or unlicensed signage, the legal position is less clear-cut. It would seem reasonable to be able to dispose of objects which are left in circumstances where they appear to have been abandoned, or which are not collected within a reasonable period.
- ♦ Views would also be welcomed on whether or not the City Corporation should have the power to exclude persons from the Open Spaces in cases sufficiently serious to warrant it. The public have a right to access the Open Spaces, but if this right is abused in a serious or persistent manner then it might be thought that exclusion for a certain period of time could be an appropriate way of protecting the enjoyment of the law-abiding majority of visitors.

### **How to have your say:**

We hope this document has demonstrated both the need for changes to current legislation, and the desire that these changes are proposed first and foremost for the benefit of the users of the Open Spaces.

It is important that the general direction of the proposals is clear, understood, and supported by local groups and interested parties before the formal Parliamentary process gets underway.

If you have comments or questions, first please speak to representatives at your local Open Space.

This project is being led by Jo Hurst, based at Epping Forest. If you wish to contact her directly the details are as follows:-

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<b>Committee(s)</b>	<b>Dated:</b>
Hampstead Heath Consultative Committee Hampstead Heath, Highgate Wood and Queen's Park Management Committee	<b>9 March 2015</b> <b>23 March 2015</b>
<b>Subject:</b> Annual Report on Hampstead Heath Constabulary for 2014	<b>Public</b>
<b>Report of:</b> Superintendent Hampstead Heath	<b>For Information</b>

## Summary

This report reviews the work carried out by the Hampstead Heath Constabulary during the period from 1<sup>st</sup> January 2014 to 31<sup>st</sup> December 2014, recording 2,157 occurrences/incidents during that time. It also gives details of the progress made in developing partnerships with other agencies and of its achievements on key objectives, including the Dog Control Action Plan.

## Recommendation

Members are asked to:

- Note the contents of this report regarding the work of the Hampstead Heath Constabulary during 2014 and, in particular, the continued effort being made to strengthen links with other agencies, helping to ensure that Hampstead Heath remains a safe, appealing and enjoyable place for millions to visit each year, by reducing the fear of crime and anti-social behaviour.

## Main Report

### Background

1. The overall objective of the Hampstead Heath Constabulary (HHC) is to provide a professional, efficient and effective constabulary service for Hampstead Heath, to educate the visitors and users of Hampstead Heath on appropriate and responsible behaviour, to engage with users and stakeholders, and to enforce byelaws, deter and prevent anti-social behaviour, and reduce the fear of crime through visible high-profile patrolling. The approach adopted in achieving this objective is through engagement, education and ultimately enforcement, applying our available powers when enforcing the Heath byelaws to sanction activities which may impact on others' enjoyment of the Open Space. The Constabulary also provides a key role in ensuring the success and safety of all major events taking place on the Open Space throughout the year.

## **Current Position**

2. The Constabulary is currently operating with a reduced complement of staff; a Constabulary Manager, who also manages Queen's Park, two Sergeants working across two teams, and eight Constables. This resource includes two Constable Dog Handlers with general purpose-trained police dogs.
3. In the spring/summer of 2014 a restructuring process took place within the HHC. Following consultation with staff and unions, this process saw a reduction from four to two police dogs and their handlers. This restructuring has not had any negative impact on the professional service provided by the HHC.
4. During 2014 three Constabulary officers chose to expand their careers and joined the Metropolitan Police Service. Another Constable retired from the City of London after serving for 23 years on Hampstead Heath in an enforcement role.
5. Due to these vacancies, in the autumn of 2014 the Constabulary Management Team undertook a recruitment process to fill two posts. An advertisement was placed internally and we successfully recruited two new Constables. One was previously a Market Constable and the other a Hampstead Heath Ranger. Both have successfully completed their basic Constabulary training course and are now operational, following their attestation at the City of London Magistrates Court. This initial training will be backed up with a six-month support period with Tutor Constables, together with further training modules delivered by the Sergeants and experienced members of the Constabulary.
6. The Constabulary is currently recruiting to fill the remaining two Constable posts.
7. The Constabulary has continued to provide on-site policing for larger events during 2014, which have included the three annual funfairs on the Heath, the Affordable Art Fair, Grow London and the annual Circus. At this last event, Constables from the HHC were required to deal with animal rights protesters.
8. The HHC continues to provide a service 365 days of the year, with patrols carried out throughout the day and night from a patrol base on Hampstead Heath.

## **Partnership Working**

9. The Constabulary continues to work closely with – and seek support and advice from – the Terrence Higgins Trust and the Camden LGBT Forum with regard to the West Heath Public Sex Environment. The HHC's LGBT liaison officer left the service in September 2014 to join the Metropolitan Police Service; we intend to replace this officer with a suitable member of the Team who is able to continue in this role, once we are back up to our full complement of Constabulary officers.
10. The Dogs Trust attended the Heath on twelve occasions during 2014 and also attended the 'Give it a Go' event at Parliament Hill Fields. The regular events took place on Saturdays between 11am and 4pm. Staff from the Dogs Trust were on hand to offer advice on the welfare of dogs, responsible ownership and

to offer free micro-chipping for dogs. The requirements under the Microchipping of Dogs (England) Regulations 2015 that from April 2016 all dog owners must have their dog micro-chipped has been supported by the Constabulary with the help of the Dogs Trust, and officers, who have been trained to deliver the microchip, will offer this service to the public when dealing with dog-related issues. Most of these events have taken place at Parliament Hill, due to the footfall in this area.

11. A number of safety and security events have been organised for cyclists during 2014, offering free cycle security marking. The Metropolitan Police Cadets have been involved in supporting our cycle marking days and have also been involved in supporting the HHC Dog Control Action Plan, assisting with a project to mark areas where dog faeces had not been picked up by dog walkers using Hampstead Heath. This exercise found 50 deposits of dog faeces located in the amenity grass above the Hampstead Heath Lido. Red flags were used to mark the locations of the faeces. It is probable that dog walkers entering the Heath from the Lido release their dogs there, which is the first opportunity the dog has to relieve itself on a grassed area. Involving the Cadets in these projects is beneficial, as it develops their public engagement skills.
12. Communication still flows between the Metropolitan Police (MPS) and the HHC. There has been some impact on the sharing of information between partners following the changes to the MPS Safer Neighbourhood policing model. The Local Policing Model with Integrated Neighbourhood Policing Teams has now replaced the Safer Neighbourhood model. These teams will respond to 'promises' (previously priorities) that have been agreed with the local community. The HHC continues to attend Safer Neighbourhood meetings and liaise with the Hampstead, Camden Highgate and Haringey Highgate, and the Gospel Oak Policing Teams. Previously, incidents have occurred on the Heath that have been attended solely by Metropolitan Police officers but no information has been shared with the HHC. The HHC is working with the Local Policing Teams, (including the Hampstead Garden Suburb team) to improve the communication flow between partners.

### **Providing an Effective Frontline Service**

13. For a number of years the Hampstead Heath Constabulary has had access to the Metropolitan Police Airwave communication system, which has provided effective communication between the HHC and the MPS. Following a licence and procedure review, the City of London will now be required to provide its own Airwave radios and a protocol agreement has been drawn up with the MPS to give HHC access to Camden Borough police channels via Airwave. This is a ground-breaking agreement and is something the MPS would not normally do, demonstrating the high regard the MPS has for the HHC and recognising the valuable resource we have become in local policing.
14. The Constabulary continued to provide an effective and efficient policing service on Hampstead Heath and Highgate Wood. During 2014 officers dealt with 2,157 incidents, including dealing with medical emergencies and fatalities. This can be

extremely stressful for officers but, as ever, they demonstrated their resolve and professionalism.

15. In January 2014 officers demonstrated their flexibility to respond at short notice, when the Lido wall collapsed after strong winds. Officers provided 48 hour round-the-clock security cover, until other services could be brought in.
16. The Lido Response Plan was put in place in 2013 and continued to be used by the HHC and Lido staff in 2014. The Plan is designed to improve the management of users of the Lido swimming facility and to reduce the threat of disorder and anti-social behaviour, making it a safer environment for staff to work in and for the public to visit. This has enabled the HHC to adopt a more measured and proportionate response to any incidents in the Lido. The Plan is reviewed annually by the HHC and the facility Management Team.

### **Reports of Misconduct**

17. HHC Constables are employees of the City of London, therefore any complaint or disciplinary matters would be dealt with under the City's processes and procedures. It is possible that the City of London may call upon the City Police to assist with any investigation into a complaint made against a member of the Constabulary. There have been no formal complaints made against any HHC officers during 2014.

### **Constabulary Performance Objectives 2014**

18. A number of key objectives were agreed with the HHC at the start of 2014, which include enforcement, community liaison, sustainability, security and safety, Constabulary profile and support at events, and individual objectives. These individual objectives included youth engagement, dog control and awareness, Public Sex Environment outreach, and cycle safety and security.
19. From March 2014 to date, 300 fishing permits have been issued. Fifteen individuals were issued with a formal warning for not having a valid fishing permit while fishing on an authorised Hampstead Heath Pond. Four formal warnings were issued for fishing outside the regulated angling season.
20. The Constabulary dealt with 1,174 enforcement actions during 2014. An enforcement action is when a Constable has cause to speak with a member of the public about a byelaw offence or the breach of a regulation and then record the incident. This record of the offence may be a formal warning or a stop and account, or result in a prosecution.
21. The Constabulary Dog Section has carried out a number of 'Meet & Greet' sessions and Dog Displays at local schools in 2014, and also carried out a demonstration of dog skills at the 'Give it a Go' event in July. At this event, we were fortunate enough to have the Police Helicopter pay a visit, too.
22. Constabulary performance objectives are reviewed by the Constabulary Management Team at one-to-one meetings and are part of the City of London Performance Development Review process.

23. The Dog Control Action Plan began in March 2014, with a view to establishing whether there is a dog control problem on Hampstead Heath. Hampstead Heath Constabulary recognises that incidents of poor dog control have increased in recent times and now form a major concern to a large number of Heath visitors. This has coincided with a visible increase in the use of the Heath by commercial dog walkers.
24. The purpose of the Dog Control Action Plan is to engage with the dog-walking community in a supportive and proportionate manner. The Plan aims to make the Heath safer for all, ensuring that the wide variety of user groups can enjoy their visit in harmony with each other.
25. The Plan has been broken down into four over-arching objectives; data collection, engagement, enforcement and communication. Each objective has a measure against it and a time-scale for its completion.

### ***Data Collection***

- Focussed operation to identify persons conducting a dog-walking business.
- Focussed operation to identify all persons who regularly walk more than two dogs at a time for recreational purposes.

### ***Engagement***

- Support Dogs Trust Events.
- Renew welcome signs at entrances to reflect the concerns of visitors.
- Design and distribute a leaflet covering dog control guidance.
- Engage with and develop information exchange with Camden Dog Hub.
- Constabulary Dog Handlers to carry out impromptu dog skill and agility displays to the public.
- Design and distribute a promotional key ring, showing a police dog with the Constabulary contact number.
- Use of micro-chipping equipment to identify and reunite lost dogs with their owners.

### ***Enforcement***

- Apply the enforcement strategy to all dog control incidents.
- Conduct short-term focussed tasking operations at dog control 'hotspots'.
- Develop and implement a strategy for the use of informal Dog Behaviour Agreements.
- Monitor the progress of Public Space Protection Orders under the Anti-social Behaviour, Crime and Policing Act 2014.

### ***Communication***

- Engage local and corporate press officers in all significant issues.
- Maximise use of Twitter and Facebook to alert the public to dog control-related events or other issues.
- Develop a relationship with the local printed press to achieve the positive reporting of prosecutions.

26. In 2015, the HHC will continue to use the Dog Control Action Plan, undertaking activities to continue to understand the scope of the problem and then improve the behaviour of dogs and their walkers where such action is necessary. This work can then inform the City of London when it considers the adoption of any powers that become available in the future.

27. The Constabulary continues to record their daily activities, with data provided in the tables below. Improved reporting has seen an increase in the number of incidents recorded during 2014.

28. The constabulary Management Team has strived to ensure the constabulary team continue to deliver a professional and effective service during the autumn / winter of 2014 and 2015 whilst they recruit to vacant posts. An increase in the recording and reporting of incidents over this period and throughout 2014, demonstrates the constabulary's effectiveness in identifying what they are responding to and how it has been dealt with.

29. Incidents of note during 2014 include;

January 2014	<ul style="list-style-type: none"> <li>• Response to collapsed wall at the Lido, provide overnight security.</li> <li>• Support the MPS with alcohol-related ASB at South End Green entrance to the Heath.</li> </ul>
February 2014	<ul style="list-style-type: none"> <li>• Support the Camden LGBT Month with an event on the Heath.</li> </ul>
March 2014	<ul style="list-style-type: none"> <li>• Commence the Dog Control Action Plan.</li> </ul>
April 2014	<ul style="list-style-type: none"> <li>• Police the Easter Fairs.</li> </ul>
May 2014	<ul style="list-style-type: none"> <li>• Police the Whitsun Fair.</li> <li>• Hold cycle marking event.</li> </ul>
June 2014	<ul style="list-style-type: none"> <li>• Hold cycle marking event.</li> <li>• Arrest of wanted offender on West Heath.</li> <li>• Support LGBT event on West Heath.</li> </ul>
July 2014	<ul style="list-style-type: none"> <li>• 'Give it a Go' event with dog display.</li> </ul>
August 2014	<ul style="list-style-type: none"> <li>• Police fair.</li> <li>• Hold cycle marking event.</li> <li>• Attend Highgate Wood Heritage Day.</li> </ul>
September 2014	<ul style="list-style-type: none"> <li>• Recruit two new Constables.</li> <li>• Recover weapons on Heath following an offence committed locally.</li> </ul>
October 2014	<ul style="list-style-type: none"> <li>• Police the Circus and respond to animal rights protestors.</li> </ul>
November 2014	<ul style="list-style-type: none"> <li>• Dog handlers give dog display to local primary school.</li> </ul>
December 2014	<ul style="list-style-type: none"> <li>• Police Kite Hill, New Year's Eve, in excess of 6,000 (est.) attended.</li> </ul>

## Constabulary Performance Statistics

Incidents Recorded	1 January – 31 December 2014
Crime/Anti-Social Behaviour	61
Byelaw	1,174
Miscellaneous	9,22
<b>TOTAL</b>	<b>2,157</b>

Month	Incidents/Occurrences				
	2010	2011	2012	2013	2014
January	38	51	126	128	86
February	39	64	147	110	157
March	77	114	199	134	195
April	87	174	125	170	213
May	100	142	210	151	262
June	122	142	163	169	220
July	177	170	198	308	203
August	88	150	228	134	136
September	61	157	178	148	167
October	107	151	165	108	196
November	57	113	134	80	178
December	50	107	120	92	144
<b>Total</b>	<b>1,003</b>	<b>1,535</b>	<b>1,993</b>	<b>1,792</b>	<b>2,157</b>

## Miscellaneous Incidents 2014

Found / Lost Property	99
General Patrol Incident	156
HEMS Landing	5
Information	227
Personal Accident / Injury	72
Suspicious Occurrence	41
Intelligence	12
Missing Person	71
Proactive Tasking Record	239
<b>TOTAL</b>	<b>922</b>

Byelaw Offence	2010	2011	2012	2013	2014
Byelaw 2 – Damage, Graffiti	7	8	12	19	26
Byelaw 3 – Digging	7	8	16	21	11
Byelaw 5 – Entering Enclosed Areas	11	30	13	33	24
Byelaw 8 – Camping	25	42	63	44	79
Byelaw 9 – Remain in Area After Close	15	19	32	41	30
Byelaw 13 – Bicycles, Motor Vehicles	64	252	261	205	237
Byelaw 21 – Dog Control	47	101	113	72	135
Byelaw 26 – Disturbing/III Treatment of Animals	8	7	3	11	11
Byelaw 31 – BBQ's and Fires	43	60	49	48	42
Byelaw 32 – Public Decency and Propriety	75	96	170	167	258
Byelaw 34 – Fighting, Swearing or Betting	13	24	26	27	37
Byelaw 41 – Fishing, Bathing, Preparation to play games	11	22	97	93	85
Other	30	80	201	164	199
<b>Total</b>	<b>356</b>	<b>749</b>	<b>1,056</b>	<b>945</b>	<b>1,174</b>

#### Process by Summons Court Cases

Date of Incident	Byelaw Offence	1st Court Date	Outcome
07/03/2014	21	04/09/14	Guilty plea. Conditional discharge. Costs £75 and victim surcharge £15
27/03/2014	13/15	04/09/24	Guilty plea. Fine £110 / costs £100 and victim surcharge £20
25/05/2014	21	04/09/14	Guilty plea. Fine £200 / costs £375 and victim surcharge £20
30/08/2014	21	19/02/15	Awaiting outcome
04/12/2014	21		Awaiting outcome
05/12/2014	13		Awaiting outcome



## Recommendations and Proposals for 2015

30. The Constabulary Management Team has produced an Engagement, Education and Enforcement Plan for 2015, which defines the HHC's role as follows:

- Protect and ensure the safety of persons visiting Hampstead Heath.
- Protect and ensure the safety of persons that work within Hampstead Heath.
- Protect the wildlife and environment which makes up Hampstead Heath.
- Work with other departments and agencies, both internally and externally, to achieve the above objectives.

31. The priorities provide an over-arching framework within which the HHC will meet and exceed the priority performance indicators.

	Engagement	Education	Enforcement	Performance Outcomes
<b>Making every contact count</b>	<ul style="list-style-type: none"> <li>• Involve you more in keeping Hampstead Heath safe.</li> <li>• Listen, understand and respond to you in way that best suits your needs.</li> <li>• Continue to work with neighbourhood and Heath groups to better understand the needs of those that we provide a service to.</li> </ul>	<ul style="list-style-type: none"> <li>• Continue to work with local schools and youth groups.</li> <li>• Hold and support events and activities on the Heath where helpful education messages can be conveyed.</li> </ul>	<ul style="list-style-type: none"> <li>• Deliver required enforcement activities in a professional, safe and ethical manner.</li> </ul>	Improve the satisfaction levels of users of the Constabulary services.
<b>Quality of service</b>	<ul style="list-style-type: none"> <li>• Enhance existing performance management arrangements for Constabulary officers.</li> <li>• Provide safe, secure and accessible Open Spaces and services for the benefit of London and the nation.</li> </ul>	<ul style="list-style-type: none"> <li>• To use different forms of media, including new media, to convey Heath education messages</li> <li>• Undertake quality call-backs on victims of crime on the Heath or those using Constabulary services.</li> </ul>	<ul style="list-style-type: none"> <li>• Work with partners to secure sufficient resources to deliver an efficient and effective service.</li> <li>• To present enforcement prosecutions to courts in a timely and professional manner.</li> </ul>	Reduce the number of incidents of anti-social behaviour on the Heath.
<b>Leadership</b>	<ul style="list-style-type: none"> <li>• Encourage and enable all staff to take ownership and lead change to make a positive difference every day</li> <li>• Manage, develop and empower a capable and motivated work-force to achieve high standards of safety and performance.</li> </ul>	<ul style="list-style-type: none"> <li>• Provide focussed learning opportunities for staff and volunteers to feel confident in meeting the changing needs of the Constabulary.</li> <li>• Work collaboratively with other stakeholders and public bodies to continue to improve service delivery.</li> </ul>	<ul style="list-style-type: none"> <li>• Create an enforcement plan outlining specific proactive enforcement activities that augments the Engagement, Education and Enforcement plan.</li> </ul>	Provide leadership at all levels to support performance.

32. Linked to the priorities are the specific priority activities that the HHC will undertake.

	Priority Area	Action Area	Performance Target
1	Dog control	Targeted & intelligence-led patrols in defined dog control areas.	Minimum two patrols daily in dog control hotspots.
2	Dog control	Dog control-related incidents.	90% conviction rate for all dog control-related prosecutions.
3	Dog control	Promoting responsible dog ownership.	Hold three dog micro-chipping and education Roadshows.
4	Cycling	Targeted & intelligence-led patrols in defined non-cycle areas.	Minimum two patrols daily in cycle control hotspots.
5	Cycling	Cycling-related incidents.	90% conviction rate for all cycling-related prosecutions.
6	Cycling	Promoting responsible cycling.	Hold three cycle safety & security events.
7	Youth Engagement (litter & anti-social behaviour)	Targeted patrols in areas where high concentrations of school children and young adults will be assembled.	Minimum one patrol daily during peak periods when school children and young adults will be congregated on the Heath.
8	Youth Engagement (litter & anti-social behaviour)	Targeted engagement opportunities at youth events on the Heath.	Attend youth events - ten events on the Heath with proactive plan to communicate litter & ASB messages.
9	Youth Engagement (litter & anti-social behaviour)	Targeted engagement opportunities at schools surrounding the Heath.	Attend three assemblies at local schools with proactive litter & ASB messages.
10	Lido	Targeted patrols during periods where there will be high concentrations of visitors to Lido.	Frequency of patrols to be defined by Sergeants based on risk assessment.
11	Lido	Reducing instances of serious crime.	Deployment of 'Knife Arch' during defined peak periods.
12	Public sex environments	Targeted patrols to reduce instances of anti-social behaviour, crime and litter.	Frequency of patrols to be defined by Sergeants based on risk assessment.
13	Public sex environments	Attend LGBT stakeholder meetings.	Attend 75% of all LGBT meetings held.
14	Public sex environments	Supporting Outreach work	Support Terrence Higgins Trust outreach workers on ten occasions per annum.

33. A copy of the Constabulary Engagement, Education and Enforcement Plan 2015 can be found at appendix 1.

## Corporate & Strategic Implications

34. The work of the Hampstead Heath Constabulary during 2014 continues to meet the City Together Strategy themes of *“protecting, promoting and enhancing our environment and [ensuring it] is safer and stronger”*.

35. The work of the Constabulary meets with the Departmental Strategic Objectives by *“Widening and developing what we offer to Londoners through education, biodiversity and volunteering”*.

36. Two strategic aims in the City Corporation's Corporate Plan 2013 – 2017 also apply to the work of the Constabulary, namely:

- Provide modern, efficient and high quality local services and policing within the Square Mile for workers, residents and visitors with a view to delivering sustainable outcomes.
- Provide valued services to London and the nation.

37. The Heath Constabulary meet the overriding objectives of The Hampstead Heath Management Plan 'Towards a Plan for the Heath 2007 – 2017'

A1 - Recognise the need to be as inclusive as possible, increasing the Heath's availability to a diversity of users.

P1 - Recognise that the Heath's main users are those who come for informal activity and manage informal recreational activities to ensure that as far as is reasonably practical they do not adversely affect others' enjoyment of or the natural aspect of the Heath.

## **Implications**

38. The legal implications of the Constabulary's work have been included in the body of the report.

## **Conclusion**

39. This report sets out the breadth of work undertaken by the Heath Constabulary in 2014 in providing a professional, efficient and effective service for Hampstead Heath. The relatively low level of serious crime and anti-social behaviour on the Heath demonstrates the effectiveness of the uniformed presence of the Constabulary in reassuring visitors and deterring crime.

## **Appendices**

- Appendix 1 – Hampstead Heath Constabulary, Education and Enforcement Plan 2015

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Hampstead  
Heath

Registered Charity

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# Hampstead Heath Constabulary

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Page 45

This is one of  
14 green spaces  
managed by the  
City of London at  
little cost to the  
general public.

Engagement, Education and  
Enforcement Plan 2015



Welcome to the Engagement, Education, and Enforcement Plan 2013-2015 Hampstead Heath's Constabulary strategy to keep visitors, staff and the environment safe. This plan supports the City of London Corporate Plan 2013 –2017 and the Hampstead Heath Management Plan, 'Towards a Plan for the Heath' 2007 - 2017.

## About Hampstead Heath

Hampstead Heath is one of London's most popular open spaces, situated just six kilometres from Trafalgar Square. An island of beautiful countryside, the magic of Hampstead Heath lies not only in its rich wildlife and extensive sports and recreational opportunities, but also in its proximity and accessibility to millions of people. There is a zoo, an athletics track, an education centre, extensive children's facilities, three swimming ponds and a Lido.

### Biodiversity in the city

Hampstead Heath's mosaic of habitats provides a resource for wildlife just six kilometres from the centre of London. It is of national as well as regional importance. The City of London aims to maintain and extend the Heath's status as one of London's best places for wildlife. Hampstead Heath features a number of priority species identified in the UK Biodiversity Action Plan.

### Sport

Hampstead Heath provides excellent facilities for organised sport. With a lack of open space in surrounding densely populated Boroughs, Hampstead Heath has a crucial role to play in providing sporting opportunities and promoting good health.

Acts of crime committed on Hampstead Heath or behaviours by individuals that are in contravention of the byelaws and regulations of Hampstead Heath continue to remain low. This is achieved through effective Engagement, Education & Enforcement. During the months January – December 2014 the Hampstead Heath Constabulary recorded the following;

**Engagement** - Over 17,000 occasions of providing advice/assistance to the public were logged by Hampstead Heath Constabulary.

**Education** – Over 800 formal warnings were issued to individuals for contravention of byelaw offences.

**Enforcement** – The Hampstead Heath Constabulary made or assisted in 11 arrests and 3 individuals were formally prosecuted for byelaw offences. (data Jan - Dec 2014)

### Through Engagement, Education and Enforcement the role of the Hampstead Heath Constabulary is to:-

- Protect and ensure the safety of persons visiting Hampstead Heath.
- Protect and ensure the safety of persons that work within Hampstead Heath.
- Protect the wildlife and environment which makes up Hampstead Heath.
- Work with other Departments and Agencies both internally and externally to achieve the above objectives.



## What is the Hampstead Heath Constabulary

The 1989 Hampstead Heath Reorganisation Act allows the City of London to carry out functions under the Ministry of Housing and Local Government Provisional Order Confirmation (Greater London Parks and Open Spaces) Act 1967.

Constables are sworn in under Article 18 of the Ministry of Housing and Local Government Provisional Order Confirmation (Greater London Parks and Open Spaces) Act 1967. A Local Authority may procure Officers appointed by them for securing the observance of the provisions of all enactments relating to open spaces under their control or management and of byelaws and regulations made thereunder to be sworn in as a Constable for that purpose but any such Officer shall not act as a Constable unless in uniform or provided with a warrant.

Operating 365 days of the year, The Hampstead Heath Constabulary was established in 1992, to protect the Heath and its users through a series of byelaws. The byelaws are covered by criminal law legislation. The Constabulary may be called upon to enforce Byelaws, Regulations, Common Law and Criminal Law, protect the City of London Corporation property and provide a response to any incident that may spoil the enjoyment of Heath users. More serious incidents of a criminal nature are dealt with by the Metropolitan Police Service assisted by the Hampstead Heath Constabulary.

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### The Hampstead Heath Constabulary is made up of:-

- 10 Constables.
- 2 Sergeants.
- The Constabulary is overseen by a Constabulary Manager who reports to the Hampstead Heath Superintendent.
- Two of the ten constables patrol and support the work of the Constabulary with trained working police dogs.

### The Constabulary has a number of duties that it has to undertake, these include:-

- Patrolling on a regular basis, on foot, mountain bike and when necessary in marked vehicle(s) covering the entire area of Hampstead Heath; this includes Golders Hill Park, The Hampstead Heath Extension, West Heath, Sandy Heath and Parliament Hill.
- Responding to incidents and calls made by staff on the Heath.
- Responding to incidents and calls made by members of the public using the Heath.
- Enforcing byelaws which may include or result in the arrest and prosecution of offenders.
- Providing reassurance, security and safety at planned events and activities held on the Heath.
- Working with the Metropolitan Police Service as a liaison point in relation to broader policing issues that may affect Hampstead Heath.

**"The Hampstead Heath Constabulary plays an important role in the overall management, maintenance and safety of Hampstead Heath.**

**Our key purpose is about 'Keeping the Heath Safe & Protected'. We must do this in a visible manner and style that enhances the visitor experience."**

# Vision, Values and Environment

## Vision

To be the very best at providing a timely effective and appropriate response when called upon by visitors, staff and other Departments or Agencies, internal or external.

The Constabulary team will achieve this through;

- Listening and working with our visitors to better understand their needs.
- Working with our committees to better understand their priorities.
- Working in partnership with internal Departments & external Agencies to solve problems together that support their own and the Constabularies priorities.

## Values

The values of the Constabulary define the way upon which we operate individually and collectively. To this end we will;

- Expect our Officers to be of smart appearance and trained and equipped to deal with all incidents and issues that arise.

Expect our Officers to be visible and approachable.

Expect our Officers to treat every interaction or engagement in a professional manner.

## Environment

The Constabulary patrol and respond to incidents and issues on a daily basis throughout the Heath. Within areas of the Heath where there is likely to be higher concentrations of visitors and staff, to ensure their safety and security and to reduce crime, anti-social behaviour and the committing of byelaw offences, the Constabulary will where necessary conduct effective targeted patrols. These areas include;

### 1. Parliament Hill

Tennis Courts, Running Track, Children's Play Areas, Lido, Adventure Play Area and One O'clock Club.

### 2. Golders Hill Park

Zoo, Café, Tennis Courts.

### 3. Ponds

Men's, Ladies' and Mixed Bathing Pond and angling ponds.

## Performance Highlights

The Constabulary is proud of the service that it provides to visitors and staff of the Heath and how it supports the protection of the Heath environment.

There are no two incidents that are the same and every day the Constabulary is expected to meet the ongoing challenges that are presented. Looking back during the periods under review, performance highlights include:

The Constabulary successfully prosecuted a number of people relating to dog control offences. In one case where a dog was fatally injured the walker of the offending dog was fined £80 and ordered to pay costs of £55 plus a victim surcharge of £15. In relation to this incident, the owner of the dog was fined £350 and was ordered to pay costs of £400 plus a victim surcharge of £15.

Weeks before the commencement of the 2012 Olympics, Constabulary Officers, the Metropolitan Police and City of London staff, through the use of good intelligence and speed of action, were able to evict peacefully Occupy London Camp activist within 24 hours of them setting up an illegal camp on Hampstead Heath.

In 2014 Constabulary provided a full complement of Officers, to the 'Give it a Go Event' at Parliament Hill. Attracting in excess of 7,000 visitors, the Constabulary undertook high visibility patrols, ensuring that visitor were safe throughout the event and presented a dog display with the teams police dogs.

Popular fairs at East Heath during Easter, Whitsun and August attract significant numbers of visitors. The high visibility presence of the Constabulary results in no reports of serious crime or anti-social behaviour.

The Constabulary regularly undertook pre-planned and spontaneous operations to combat the committing of cycling byelaw offences on the Heath. An issue with both environmental and safety implications, the Constabulary successfully prosecuted offending individuals. In one case a persistent offender received a fine and cost award against them of £490.

To better monitor and manage angling on the Heath, the Constabulary conducted a review of the existing angling permit system in place. As a result changes have been made to the system that will ensure both environmental improvements and reduction in the commission of byelaw offences in this area.

In support of responsible cycling by visitors using the Heath, the Constabulary held two Cycle Safety and Security events. Providing cycling advice and guidance, the events were also an opportunity for attendees to have their cycle security marked.







## Priorities

Our priorities provide the overarching framework for the Constabulary, which link to our Performance Indicators.

## Performance Indicators

Linked to our Priorities our Performance Indicators are the specific priority activities that we will undertake:

	Engagement	Education	Enforcement	Performance Outcomes
<b>Making every contact count</b>	Involve you more in keeping Hampstead Heath safe  Listen, understand and respond to you in way that best suits your needs Continue to work with neighbourhood & Heath groups to better understand the needs of those that we provide a service to	Continue to work with local schools and youth groups.  To hold and support events and activities on the Heath where education messages can be conveyed	To deliver enforcement activities in a professional, safe and ethical manner	Improve the satisfaction levels of users of the Constabulary services
<b>Quality of service</b>	Enhance existing performance management arrangements for Constabulary officers  Provide safe, secure and accessible Open Spaces and services for the benefit of London and the nation	To use different forms of media, including new media to convey Heath education messages  Undertake quality call backs on victims of crime on the Heath or those using the Constabulary services	Work with partners to secure sufficient resources to deliver an efficient and effective service  To present enforcement prosecutions to courts in a timely and professional manner	Reduce the number of incidents of antisocial behaviour on the Heath
<b>Leadership</b>	Encourage and enable all staff to take ownership and lead change to make a positive difference every day  Manage, develop and empower a capable and motivated work force to achieve high standards of safety and performance	Provide focused learning opportunities for staff and volunteers to feel confident in meeting the changing needs of the Constabulary Work collaboratively with other stakeholders and public bodies to continue to improve service	Create an enforcement plan outlining specific proactive enforcement activities that augments the Engagement, Education and Enforcement plan	Provide leadership at all levels to support performance

	Priority Area	Action Area	Performance Target
1	Dog control	Targeted & intelligence led patrols in defined dog control areas	Minimum two patrols daily in dog control hotspots
2	Dog control	Dog control related incidents	90% conviction rate for all dog control related prosecutions
3	Dog control	Promoting responsible dog ownership	Hold 3 dog micro chipping and education Roads Shows
4	Cycling	Targeted & intelligence led patrols in defined non cycle areas	Minimum two patrols daily in cycle control hotspots
5	Cycling	Cycling related incidents	90% conviction rate for all cycling related prosecutions
6	Cycling	Promoting responsible cycling	Hold 3 cycle safety & security events
7	Youth Engagement (litter & anti-social behaviour)	Targeted patrols in areas where high concentrations of school children and young adults will be assembled	Minimum 1 patrol daily during peak periods when school children and young adults will be congregated on Heath
8	Youth Engagement (litter & anti-social behaviour)	Targeted engagement opportunities at youth events on the Heath	Attend youth events - 10 events on Heath with proactive plan to communicate litter & ASB messages
9	Youth Engagement (litter & anti-social behaviour)	Targeted engagement opportunities at schools surrounding Heath	Attend 3 assemblies at local schools with proactive litter & ASB messages
10	Lido	Targeted patrols during periods where there will be high concentrations of visitors to Lido	Frequency of patrols to be defined by Sergeants based upon risk assessment
11	Lido	Reducing instances of serious crime	Deployment of 'Knife Arch' during defined peak periods.
12	Public sex environments	Targeted patrols to reduce instances of anti-social behaviour, crime and litter	Frequency of patrols to be defined by Sergeants based upon risk assessment
13	Public sex environments	Attend LGBT stakeholder meetings	Attend 75% of all LGBT meetings held
14	Public sex environments	Supporting Outreach work	Support Terrence Higgins Trust outreach workers on 10 occasions per annum



### Contact Information

The Constabulary can be contacted on the following number: 020 8340 5260.

You should however always first consider whether dialling 999 is more appropriate if there is:

- Danger to life.
- Serious injury to property or person.
- A crime is in progress.
- An offender has been detained and causes a risk to other people.

### Face to face

If you would like to speak to us face to face please either phone or e-mail us on the numbers provided and we can arrange to meet with you at a suitable and convenient location on Hampstead Heath.

Email: [HH-Constabulary@cityoflondon.gov.uk](mailto:HH-Constabulary@cityoflondon.gov.uk)

Do You Have Feedback on our Plan? If you have any queries in relation to our plan please contact:

Constabulary Manager  
City of London  
Heathfield House  
432 Archway Road  
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Telephone: 020 7332 3322

Email: [HH-Constabulary@cityoflondon.gov.uk](mailto:HH-Constabulary@cityoflondon.gov.uk)

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Twitter: [www.twitter.com/CityCorpHeath](https://twitter.com/CityCorpHeath)

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<b>Committee(s)</b>	<b>Dated:</b>
Hampstead Heath Consultative Committee – For Discussion	<b>9 March 2015</b>
Hampstead Heath, Highgate Wood and Queen's Park Management Committee – For Decision	<b>23 March 2015</b>
<b>Subject:</b> Update Report on Hampstead Heath – Public Sex Environment Outreach Work	<b>Public</b>
<b>Report of:</b> Superintendent Hampstead Heath	<b>For Discussion</b>

## Summary

This report provides an update on the continued partnership work undertaken by the City of London, Hampstead Heath Constabulary and the Terrence Higgins Trust during 2014 to provide outreach sessions on the West Heath Public Sex Environment area of Hampstead Heath.

## Recommendation(s)

Members are asked to:

- Note the contents of this report and the continued partnership work which has been undertaken by the Hampstead Heath Constabulary, Terrence Higgins Trust and other stakeholders and agencies during 2014 to promote the responsible use of Hampstead Heath and users' safety.
- Support the continuation of partnership work on Hampstead Heath during 2015 by the Hampstead Heath Constabulary, Terrence Higgins Trust and other stakeholders and partners.

## Main Report

### Background

1. West Heath covers 67 acres, and is located north of West Heath Road and south-east of Golders Hill Park.
2. West Heath has a history of being a popular Public Sex Environment (PSE). It is known locally, nationally and internationally as an area where sexual activity takes place, a fact publicised through various media including the internet. This activity predominantly involves men having sex with other men.
3. There are a number of issues associated with the PSE, including sexual detritus, homophobic crime, sexual offences, offences against public decency and propriety, and littering.

4. In 2002, Hampstead Heath managers set up the Sexual Activity Working Group (SAWG), working in partnership with key stakeholders. These partners include the Metropolitan Police (MPS), Terrence Higgins Trust (THT), Camden Lesbian, Gay, Bisexual, Transgender (LGBT) Forum, members of the local community including the Heath & Hampstead Society, and the City of London Corporation. The success of this group has been to provide a forum to raise awareness among various groups of the community of the impact of PSEs on Hampstead Heath, and to pursue positive outcomes to resolve conflicts, including the issue of littering and sexual detritus. Since its inception, the Group has advanced a number of initiatives to address the increasing concern about sexual activity and litter on Hampstead Heath in the locations used as PSEs.
5. In 2011 officers of the City of London at Hampstead Heath met with Terrence Higgins Trust representatives to discuss issues around the disposal of sex litter by users frequenting the West Heath PSE. Patrols by the Hampstead Heath Constabulary (HHC) and the Camden LGBT in previous years had focused on encouraging users to report crime, but had failed to deal effectively with the concerns of local residents and Heath users about the litter arising from the use of the PSE, especially sexual detritus. THT was also keen to strengthen its relationship with the City of London and the HHC.
6. The Superintendent of Hampstead Heath agreed to fund THT outreach sessions on the West Heath for a three-year period (2011 – 2013), with a review at the end of each year. Funding for this project came from the Hampstead Heath Local Risk Budget. This original three year project can be broken down as follows; 2011 - £3,582, 2012 - £5,464, 2013 - £6,415. The number of outreach sessions conducted by THT increased from 12 in 2011 to 30 in 2013.
7. The key messages that both the City of London and THT wanted to deliver were for PSE users to dispose of their litter responsibly, stay safe, and report crime. With funding from the City of London, THT produced wallet cards with the central message of “Bin It” outlining these key deliverables. Due to its success, the ‘Bin It’ Campaign has now been used elsewhere in the capital to deliver a similar message.
8. The Hampstead Heath, Highgate Wood and Queen’s Park Management Committee meeting of the 14<sup>th</sup> April 2014 resolved to approve the continuation of the partnership between the City of London and the Terrence Higgins Trust.
9. The outreach sessions allow the HHC, THT and other stakeholders to deliver sound advice to PSE users that includes having a better understanding of behaving responsibly in an Open Space and being respectful of other visitors, including the responsible disposal of litter, a better knowledge of how to report a crime if they were the victim of one (or know someone who was), and increasing their awareness of how to look after their sexual health.

### **Current Position**

10. In and around the West Heath, litter and waste collection is currently carried out by two keeping staff, whose duties include daily patrols of the area to ensure

that it is kept clean, safe and tidy for visitors. Included in their duties is the requirement to collect sexual detritus from the West Heath and to dispose of it appropriately.

11. The keepers keep a record of when they encounter drug paraphernalia. This information is shared with the HHC, allowing Constables to target their patrols effectively.
12. During 2014 Hampstead Heath staff saw an increased number of nitrous oxide gas canisters (also known as laughing gas) being found across the Division. These canisters are used commercially in catering and can also be used to inflate balloons. The recreational use of nitrous oxide dates back hundreds of years, and the possession and inhaling of it is legal. Other items of drug paraphernalia found by staff have included used syringes and small bottles containing Gamma hydroxybutyrate (GHB).
13. The approach used by THT staff and volunteers involved an initial introduction to PSE users to explain the 'Bin It' campaign, encouraging users to take their litter home with them, or to find a bin and dispose of their litter responsibly. During 2014 THT continued to hand out male condoms and lubricant, promoting safe sexual activity. West Heath PSE users were also offered a leaflet advising them on how to report crime.
14. When engaging with PSE users, the Outreach Team noted the partnership between the City of London and THT was welcomed. Users felt safer and had an improved understanding about respecting other users and of using the Open Space responsibly.

### **Aims and Objectives**

15. Working in partnership with THT, the City of London has a key aim of reducing the amount of litter, specifically sexual detritus, being left on the ground in the West Heath PSEs, using a model of practice that adopted a holistic, user-centred approach. Although this model of practice has not been standardised, the basic themes appear to be largely echoed through the majority of multi-disciplinary, multi-agency workers involved in PSEs in London.
16. Although a measurement of success is difficult to validate, feedback received from users, staff and members of the Sexual Activity Work Group has been positive. The sessional workers from THT suggested users had an improved understanding of the project and its intentions.
17. During 2014, as part of the contract with THT, thirty outreach sessions took place, mainly on a Friday evening. Some were cancelled due to poor weather conditions and some took place during the week or on a weekend. When resources permitted, the THT sessional workers would link up with the HHC and joint patrols were carried out on the West Heath. The cost to the City of London for these sessions was ££6,038.

18. There were four main thematic remits to this work, based on previous outreach experience on the Heath together with verbal commentary and feedback from the users of what provision they would like to receive. These were:

- Promotion of “Bin-it campaign
- Encouraging responsible use of the Open Space
- Encouraging the reporting of crime - experienced as well as witnessed
- Encouraging safer sexual behavioural activity.

19. The Hampstead Heath Management Plan ‘Towards a Plan for the Heath 2007 – 2017’ states:

**Informal Public Use – Sexual Activity:** No activity of a sexual nature will be tolerated on the Heath where it could cause public offence.

**Overriding Objective:** Recognise that the Heath’s main users are those who come for informal activity and manage informal recreational activities to ensure that as far as is reasonably practical they do not adversely affect others’ enjoyment of or the natural aspect of the Heath.

**Essential Action P9:** Work with members of the community, the Sexual Activity Working Group, the Metropolitan Police Service and others to reduce conflict between Heath users.

## Outcomes

20. The sessional outreach workers asked for specific data on a number of areas, specifically on reporting crime, being the victim of a crime, condom use, disposal of sex litter, and drug use. Data was captured from 78 users. No data was captured by THT on the total number of interactions by sessional workers during the outreach sessions.

21. On the whole the PSE users responded very well to the sessional worker interactions, although there were some users who were unwilling to engage, who may well be the same group that would benefit most from THT intervention. Some users were reticent about talking about using the Heath as a PSE in the presence of an HHC officer. Many of these were reassured by the explanation that one of the key drivers of the project was to support people in reporting crime, rather than accusing them of being the perpetrators of it.

22. The vast majority of Heath users welcomed the presence of the THT sessional workers and the HHC, and the following reasons were most commonly cited;

- Greater awareness of condom disposal and litter bins (66%).
- Felt safer in the knowledge of a regular presence of HIV/THT/Camden LGBT Forum there (51%).



- Faster access to condoms (21%).
- Improved knowledge about sexual health (35%).
- Improved understanding of how to report crime (71%).
- Greater understanding of local drugs projects/THT addiction services (44%) – some did not identify this as an issue that needed to be addressed. Some of the more regular PSE users commented that drug use was a problem – and a problem for other users, as it changed the atmosphere of the area.

*(Note; not all respondents were asked all these questions).*

### **‘Bin it’ Campaign**

23. When engaged with, users on the West Heath were actively encouraged to bin their sex litter, and understood why it was necessary to do so. There were few adverse responses to this intervention. No assumptions were made as to why users were on the Heath. On a number of occasions, other users of the Heath (people out for a walk, joggers and dog walkers) had a very positive response to the sessional workers, after an initial explanation of the project and what they were trying to achieve. When distributing the ‘Bin It’ card, an emphasis was therefore often initially placed on reporting crime, rather than the disposal of sex litter. Although almost all PSE users denied dropping sex litter, some did say that the issue was with not finding bins and not wanting to take used materials home for hygiene reasons. It was also reported that some users wanted to leave the area of sexuality activity as quickly as possible, once the engagement had come to an end.

### **Reporting Crime**

24. PSE users have come to trust the presence of the HHC and the THT sessional workers, now that outreach sessions have been taking place on the West Heath for a number of years. Whilst some users commented that they felt safer knowing THT and HHC were there, others recalled adverse attitudes from the Police in the past.

25. As in previous years, there appeared to be an undeniable significance of users reporting that they had historically witnessed criminal offences (e.g. against the person offences, sexual offences or robbery) being committed on other users on the Heath, rather than directly experiencing it themselves. THT interventions found that the main barriers for many users not reporting were:

- Poor awareness of legal stance on PSEs (21%).
- ‘Outing’ behaviour conducted on the Heath to the public (39%).
- Historical experiences of adverse Police attitude and behaviour (4%).

## **Sexual and Drug Activity**

26. Sexual health knowledge, awareness of HIV prevention and transmission were good among PSE users. The sex litter at least gave us reason to believe that safer sex is usually practised. The main emphasis on sexual health was closely related to the reporting crime remit, whereby THT promoted client safety to reduce risk to health from a holistic stance, taking into account physical risk (such as assault) rather than just solely sexual risk (such as sexual violence). Advice was always user-led and ranged from discussion around PEP (post-exposure prophylaxis) to issues around injecting crystal meth and legal highs. Although substance abuse issues were acknowledged by some users, there was evidence of drug paraphernalia on the PSE (needles, GBL bottles, small drug bags, pipettes).

## **Litter Pick Events**

27. Clean-up events were supported by THT volunteers and City of London staff. These events were held on the following dates;

- 1 April 2014 – opening event and patrol of Heath with SAWG group.
- 13 June 2014 – Affordable Art Fair - fund-raiser for THT highlighting the PSE work on Hampstead Heath and a litter pick on the West Heath.
- 1 September 2014 – Litter Pick.

28. At the litter pick events, volunteers from THT came along and assisted with cleaning up the sexual detritus in the area. Along with this, they carried out interactions with members of the public that were using the area on a Friday night. The 'Bin It' Campaign was promoted by the volunteers and many daytime users (such as dog walkers) were glad to see that there is positive work going in that area. Volunteers were accompanied by one of the Hampstead Heath Constables, who would give advice to users about the City of London response to how the PSE is policed. These events were also attended by the Camden LGBT Forum, who additionally carry out monthly outreach sessions independently of the THT sessions. Camden LGBT encourages users to report crime.

29. THT delivers similar events and outreach work across London, based on the Hampstead Heath 'Bin It' model.

30. While completing an outreach session in July 2014, sessional workers were advised by three different visitors to Hampstead Heath that a male had been offering unprotected sex in return for drugs (Cannabis and GBL). During a subsequent outreach session, THT came across a sleeping bag and found a 32-year-old male sleeping rough. This was the male that had been identified earlier. THT engaged with the male and provided him with referrals for drug support, and supported him in accessing housing. In addition, a referral was made to 'No Second Night Out', which focuses on helping those who find themselves rough-sleeping on the streets of London for the first time, and for THT Counselling. The

male was also supported in re-engaging with sexual health services and was promptly started on medication.

## **Options**

31. A number of options are available:

- To continue the partnership approach, working with the Terrence Higgins Trust, encouraging responsible use of Hampstead Heath and promoting the 'Bin It' campaign.
- To consider an alternative partner to deliver outreach session on the PSE.
- For the City of London to cease their partnership with THT and manage the PSE outreach work locally.

## **Recommendations and Proposals**

32. It is recommended that the City of London continues its current partnership, working with the Terrence Higgins Trust in 2015 to deliver outreach sessions on the PSEs of Hampstead Heath.

33. It is also recommended to continue to develop relationships with Hampstead Heath users and stakeholders, delivering a message of commitment to maintaining a high-quality Open Space.

34. The Terrence Higgins Trust 'Bin It' campaign message should continue to be delivered to Heath users, thus reducing environmental impact through littering and waste.

35. The "clean-up" litter pick events should continue to be scheduled for spring, summer and autumn 2015, promoting the work that is being carried out by THT, volunteers, the City of London, the HHC and Camden LGBT Forum.

36. Educational messages to PSE users could be strengthened, especially around the environmental impact of not disposing of their litter and waste responsibly.

37. There should also be engagement with PSE users who express an interest in having more involvement in looking after Hampstead Heath, including conservation and maintenance work through volunteering opportunities.

38. There should be monitoring and the provision of more robust information about drug use on the PSE sites, including the types of drugs taken, frequency, support required, and the demographics of users.

39. Diversity training should be provided to other Hampstead Heath staff, the HHC, and other City of London staff.

## **Corporate & Strategic Implications**

40. This partnership approach meets with The City Together (2008 – 2014) Strategy themes of “protecting, promoting and enhancing our environment and ensuring it is safer and stronger”.
41. The outreach work meets with the Departmental Strategic aim; *Widening and developing what we offer to Londoners through education, biodiversity and volunteering*.
42. Two of the three strategic aims in the City Corporation’s Corporate Plan also apply to the outreach work, namely:
- Provide modern, efficient and high quality local services and policing within the Square Mile for workers, residents and visitors with a view to delivering sustainable outcomes.
  - Provide valued services to London and the nation.

### **Implications**

43. The Division currently employs two members of staff (at a cost of £62,864pa) to work in the West Heath, whose primary function is to keep the area clean, although they do have other keeping responsibilities and duties in this area. There are further financial implications, which would be met from the Hampstead Heath Local Risk Budget. In 2014, the costs for THT to produce informative material, undertake outreach work and to deliver diversity training, cost the City of London £6,038.00. Should the City of London continue with the project in 2015, the Constabulary Manager will negotiate a revised programme for just the outreach sessions with the costs not exceeding £5,000.
44. The City of London has byelaws for its Open Spaces that are relevant to the issues of managing a PSE. The byelaws for Hampstead Heath prohibit any nuisance contrary to public decency or propriety, as well as designedly doing any act which outrages public decency. A person in breach of any byelaw is liable to face a fine. The byelaws at Hampstead Heath are enforced by attested Constables from the HHC.
45. PSEs have no legal designation. People that use them do not as a matter of course commit a criminal offence by being there. It is an individual’s behaviour that may constitute a criminal offence, depending on the circumstances and any complaint that may have been made due to their activity or behaviour.
46. Should the City of London fail to manage litter and waste collections on Hampstead Heath, there may be a risk to the organisation’s reputation.
47. Any increase in criminal activity against the persons using the West Heath may have implications on visitor numbers and user perceptions with regard to their safety when using the Open Space.

## **Conclusion**

- 48. The City of London continues to manage the collection of waste and litter on the West Heath effectively. Two full-time members of staff have the responsibility of maintaining this area, including the collection and disposal of litter and sexual detritus.
- 49. The West Heath continues to be identified as a PSE and users continue to come to this area to meet with others or engage in sexual activity.
- 50. The outreach work on the PSE has become embedded in the management of the PSE, and users of the Open Space recognise the positive work that is carried out by the volunteers, THT, the City of London and its staff in their efforts to reduce litter and promote responsible use of the PSE and the Open Space.

## **Appendices**

None

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<b>Committee(s)</b>	<b>Dated:</b>
Hampstead Heath Consultative Committee - For Information	9 March 2015
Hampstead Heath, Highgate Wood and Queen's Park Committee - For Decision	23 March 2015
<b>Subject:</b> Landscape improvement works at the North End Road Entrance into Golders Hill Park	<b>Public</b>
<b>Report of:</b> Superintendent of Hampstead Heath	<b>For Information</b>

## Summary

This report informs Members on the proposed hard and soft landscape improvement works at the North End Way entrance to Golders Hill Park. The intended works will be undertaken by the multi-skilled in-house teams from across the North London Open Spaces as part of the 2015/16 Annual Work Programme. The scheme will simplify and soften the entrance, to create a more coherently designed landscape.

## Recommendation(s)

- That the Members of the Hampstead Heath Consultative Committee note the proposals to improve the hard and soft landscaping works at the North End Way Road entrance into Golders Hill Park.
- That the views of the Hampstead Heath Consultative Committee are conveyed to the Hampstead Heath, Highgate Wood and Queen's Park Committee at their meeting on 23 March 2015.
- That the Members of the Hampstead Heath, Highgate Wood and Queen's Park Committee support the proposals to improve the hard and soft landscaping works at the North End Way Road entrance into Golders Hill Park.

## Main Report

### Background

1. In 1898 Golders Hill Park was bought for public access with funds subscribed by the general public and both the London and Middlesex County Councils. The Park is a Humphrey Repton-influenced 'designed park' and is adjacent to West Heath. The Park was once the property of Queen Victoria's surgeon, who lived in Golders Hill House.

2. Within its 36 acres, the Park contains a formal walled garden, small zoo collection, sports facilities (including grass and hard tennis courts, croquet lawn, table tennis tables and putting lawn), children's play area, a band stand, a stumpery, formal mown grassland and informal woodland walkways. Unlike the rest of Hampstead Heath, Golders Hill Park is closed by staff nightly. In 2014 Golders Hill Park was awarded a London in Bloom gold medal and was a category winner (Best large park in London, over 25 acres).
3. Over the past three years, staff have improved the entrances at Gordon House Road and the Ball Path at Highgate Road on the southern part of Hampstead Heath. It was agreed by both the Consultative and Management Committees that these entrances should be softened with the removal of municipal furniture and ad-hoc ornamental shrub planting, and a move was made towards a more rural gateway entrance.

### **Current Position**

4. The hard and soft landscape features at the North End Way main entrance include a disabled car park, footpaths, signage, and planting that has evolved piecemeal over time. Two established shrub borders contain a mixture of mature plants and five conifers that are out of scale with the surrounding landscape.
5. There is a disused steep pathway leading to a locked gate onto Sandy Road. The decision was taken to close this gate approximately twelve years ago, due to there being an adjacent gate close by.

### **Proposals**

6. It is proposed to simplify the landscape, signage and planting to create a more coherent arrival at the North End Way entrance (see proposed plan – Appendix 1). The Hampstead Heath Management Plan Part One "Towards a Plan for the Heath 2007-2017", states:

*There are two areas that stand out as discrete and historically important designed landscapes: Golders Hill Park and the Hill Garden and Pergola. They are unique and require a different management approach from the rest of the Heath.*

7. Advice was sought from a Landscape Architect, and the Golders Hill Gardening Team Supervisor and Team Leader on how best to improve the landscape, while at the same time recognising the above statement that the Park is not part of the Heath's rural natural landscape. Appendix 2 depicts Golders Hill Park in 1896, clearly showing that it is a designed landscape, with the old Victorian mansion on the footprint of the current car park.
8. The following hard and soft landscape improvement works are proposed, which will form part of the 2015/16 Annual Work Programme. Photographs of the area, taken in January 2015, are appended at the end of the report (Appendix 3):



- Fell five overgrown and out-of-scale conifers (Figure 1), and replace with ornamental cherry trees (*Prunus Shizuka*) and replant shrub border with Camellias, Azaleas and Maholias.
  - Plant a new native hedgerow to soften the edges of the car park and provide a green vegetative screen for seated visitors (Figure 2).
  - Remove the disused path leading onto Sandy Road (Figure 3), extend the existing wall, and gap up with existing plants.
  - Replant the *Rhododendron ponticum* shrub border (Figure 4) with Camellias, Azaleas and Maholias, retaining the two Acer trees (*Acer Pseudoplatanus brilliantissimum*) (Figure 4), and plant a beech hedge along the fence line.
  - Review the signage at the entrance gate (Figures 5 & 6) to remove repetition, de-clutter and standardise with the new Open Spaces identity.
9. It is intended that the works will be carried out by the Hampstead Heath in-house multi-skilled staff, including the Arboriculture, Gardening and Technical Maintenance Teams. Thirty percent of the plants can be re-planted by thinning other shrub borders, while bricks from the edge of the pathway can be recycled to build the wall.

### **Corporate & Strategic Implications**

10. The works supports the City of London Corporate Plan 2013-17 – KPP5 *“increasing the impact of the City cultural and heritage offer on the life of London and the nation”*.
11. The design supports the Overriding Policy D1 in the Hampstead Heath Management Plan Part 1 – Towards a Plan for the Heath 2007-2017, *“Conserve and enhance the historic and planned elements of the Heath’s designed landscapes, while improving their appearance and public facilities”*.

### **Implications**

12. It is estimated that the costs of the planting will be £1,400, which will be met from the Superintendent’s Local Risk Budget. Discussions will also be had with a local benefactor who has donated plants in the past, in order to drive down costs. The soil will be ameliorated with approximately 60 cubic meters of locally produced leaf mould which will be available in September 2015. This will have the effect of improving the soil structure and incorporating earthly organic matter back into the soil. New plants will be dipped in Mycorrhizal fungi at a cost of £50.00 to aid root establishment.
13. There is a risk that the felling of five large conifer trees may be controversial on Hampstead Heath. Clear reasons for the change will be explained on interpretation boards, together with the new planting designs and plans.

14. Members of the Hampstead Heath Consultative Committee were introduced to the concept of a design change during their walk on 1<sup>st</sup> November 2014. Initially Scots Pine and Heather were discussed as planting options, but as the Hampstead Heath Management Plan recognises Golders Hill Park as a designed landscape, a more coherent approach is recommended.

15. There are no legal or property implications.

## **Conclusions**

16. The works will improve the entrance to this important gateway into Golders Hill Park, and will simplify and create a more coherent designed landscape, as defined by the Hampstead Heath Management Plan.

17. Gardening staff from Golders Hill Park and an external Landscape Architect have contributed to the design, and multi-skilled teams from across Hampstead Heath will be involved in completing the works.

## **Appendices**

- Appendix 1 - Proposed Planting Plan.
- Appendix 2 - 1896 Map of Hampstead Heath.
- Appendix 3 - Photographs of the area as it exists today (January 2015).

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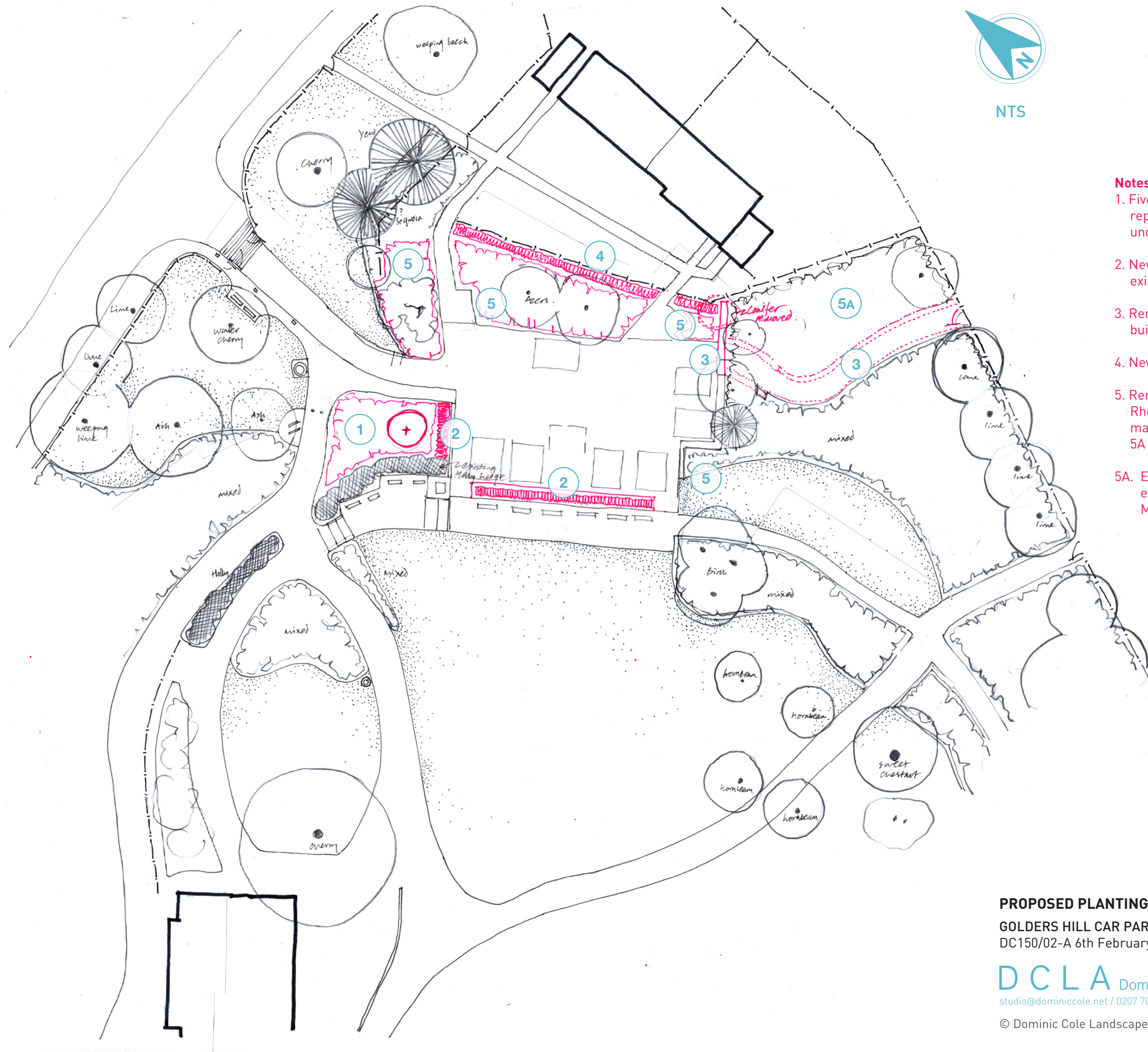
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**Notes:**

1. Five existing conifers removed and replaced with one Winter Cherry and underplanting to match 5A
2. New Holly Hedge (max height to match existing knee rail)
3. Remove short sections of brick wall and build new section across old path line
4. New Beech Hedge up to height of Fence
5. Remove existing shrubs (mainly Rhododendron ponticum) and replace with mainly mixed evergreen planting to match 5A
- 5A. Existing mixed planting (mainly evergreen) - Camellias, Azaleas, Magnolias.

**PROPOSED PLANTING**

GOLDERS HILL CAR PARK  
DC150/02-A 6th February 2015

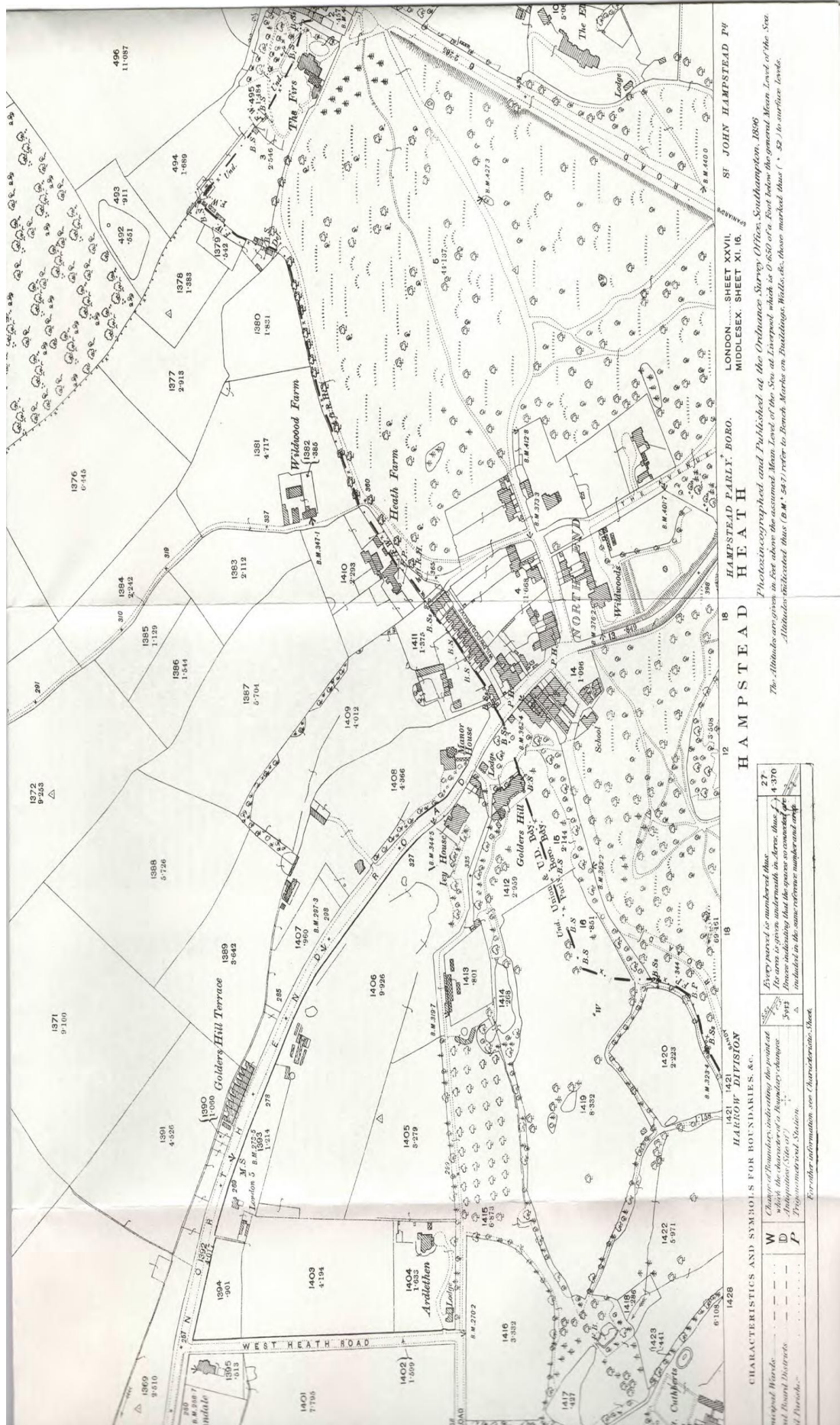
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**Appendix 3 – Photographs of the area as it exists today (January 2015).**



Figure 1: Existing conifers (note 1 – proposed planting plan)



Figure 2: Existing car park edge (note 2 – proposed planting plan)





Figure 3: Disused pathway leading onto Sandy Road (note 3 – proposed planting plan)



Figure 4: Existing Acer trees (retain) and Rhododendron shrub (to be removed), (note 4 – proposed planting plan)





Figure 5: Existing Golders Hill Park entrance sign, (note 5 – proposed planting plan)



Figure 6: Existing Golders Hill Park car park signage, (note 5 – proposed planting plan)

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<b>Committee(s)</b>	<b>Dated:</b>
Hampstead Heath Consultative Committee - For Information	9 March 2015
Hampstead Heath, Highgate Wood and Queen's Park Committee - For Decision	23 March 2015
<b>Subject:</b> Landscape improvement works at Parliament Hill (Kite Hill), Hampstead Heath	<b>Public</b>
<b>Report of:</b> Superintendent of Hampstead Heath	<b>For Information</b>

## Summary

This report informs Members on the proposed landscape and infrastructure improvement works at Parliament Hill, also known as Kite Hill. The site has an iconic status with panoramic views across London and is popular visitor attraction on bonfire night, New Year Eve, summer evenings and weekends. Due to heavy footfall Parliament Hill suffers greatly from wear and tear, becoming very muddy in winter and baking hard and compact in the summer with little grass cover. The intended works will be undertaken by the multi-skilled in-house teams from across the North London Open Spaces as part of the ongoing annual work programme. The scheme will maintain the important strategic views, simplify the bench layout, improve drainage and restore a grass sward, therefore improving the natural landscape and visitor experience.

## Recommendation(s)

- That the Members of the Hampstead Heath Consultative Committee Members note the proposals to improve the landscaping and infrastructure works at Parliament Hill.
- That the views of the Hampstead Heath Consultative Committee are conveyed to the Hampstead Heath, Highgate Wood and Queen's Park Committee at their meeting on 23 March 2015.
- That the Members of the Hampstead Heath, Highgate Wood and Queen's Park Committee support the proposals to carrying out the works at Parliament Hill as part on the on-going Annual Works Programme.

## Main Report

### Background

1. Parliament Hill (also known as Kite Hill) forms part of the prominent ridge traversing West Hampstead to Highgate. It is an open area of Hampstead Heath 98 meters above sea level consisting of grassland, hedgerows, woodland, scrubland and seating areas.

2. There are a number of outlooks on Parliament Hill, with some of the best panoramic views from the summit towards the City of London, St Paul's Cathedral and the Victoria Tower of the Palace of Westminster (London View Management Framework – Mayor of London, March 2012). Hampstead Heath has a statutory duty to maintain two strategic views.

### **Current Position**

3. Parliament Hill is one of London's 'mustering points' where members of the public converge to celebrate, remember and contemplate. It is an Open Space 24/7 and during important calendar dates, such as Bonfire Night and News Year's Eve, can attract crowds of up to 6,000 people. On summer evening and at weekends the site is popular for kite flying and family picnickers.
4. The impact of the heavy footfall at Parliament Hill has resulted in verges of pathways, informal paths, desire line, large areas around the summit and under wooden benches being deeply compacted, eroded, bare of grass cover and often extremely muddy in winter times. Areas are on a par with cattle 'poaching' in a farm gateway (see figure 1).



**Figure 1: Highest point of Parliament Hill - eroded and deeply compacted**

5. It is accepted that the solutions to heavy use and resulting wear and tear is not to introduce hardwearing and usually visually jarring infrastructure, but to respond to such wear in a way that is sensitive to the rural and natural aspect of Hampstead Heath, for this reason it is intended to adopt the following seven principles:
  - Maintain the countryside appearance of Hampstead Heath at Parliament Hill.
  - Recognise the iconic significance of Parliament Hill as a destination in London.

- Accept that the site will be heavily used throughout the year irrespective of weather and time of day.
- Provide some *hard infrastructure* (benches, etc.) but let the site and its views dominate.
- Consider providing temporary infrastructure on known busy occasions - eg.: provide additional temporary litter bins on bonfire night.
- Strategic view cones need to be managed so that they are not obscured by tree bramble and scrub growth.
- Establish a long term *maintenance regime* as part of the ongoing Annual Work Programme to address deep compaction, erosion and vegetation management accepting large areas will have to be temporary stock fenced off on a rotational basis to allow for grass recovery and establishment.

## Proposals

6. Advice was sought from a Landscape Architect (Appendix 1 & 2) in consultation with key conservation staff on how best to plan and undertake the improvement works.
7. The following works are proposed and will form part of the ongoing Annual Work Programme. Photographs of the area taken in January 2015 are appended at the end of the report (Appendix 3):
  - Relocate litter bin away from the crest of the Hill (Figure 2, Appendix 3) and provide a second litter bin at 1B, these locations will be supplemented with additional temporary bins during events. Timber cladding will be fixed to the outside of the bins to soften the hard concrete appearance - cladding is currently being trialled on several locations across Hampstead Heath.
  - Move existing stainless steel interpretation sign (Figure 3, Appendix 3) so it does not coincide with the crossing of the two main path routes, and provide a cobble base surface.
  - It is proposed a new sign comprising of a photograph with key landmarks identified is also prepared. This will initially be made of QR code for smart phones to read – the location of the second sign is still to be identified.
  - On a rotation, undertake grass renovation works, while areas are temporarily fenced off using stock fencing, including breaking up deep compaction, making up soil levels, seed sowing and post grass sward maintenance (Figure 4, Appendix 3).<sup>1</sup>

---

<sup>1</sup> Benches will have to be temporarily removed to allow the works to be undertaken by tractor attached implements. Work has commenced to identify the families and/or friends connected to the benches with dedications. New benches will be installed where the existing benches are beyond economic repair.

- Ensure the view cone zone is free of benches and vegetation.
  - Review the layout of benches next to path but away from crest and position looking toward Highgate and St Paul's Cathedral. A maximum of fifteen permanent benches will be allowed on site. All benches will have a grass enforcement installed to assist with preventing wear and tear at the base.
8. It is intended that the works will be carried out by the Hampstead Heath in-house multi-skilled staff, including the Ecologist, Arboriculture, Conservation, Rangering, Keeping and Technical Maintenance Teams.

### **Corporate & Strategic Implications**

9. The works supports the City of London Corporate Plan 2013-17 – KPP5 *“increasing the impact of the City cultural and heritage offer on the life of London and the nation”*.
10. The design supports the three overriding policies and/or essential actions in the Hampstead Heath Management Plan Part 1 – Towards a Plan for the Heath 2007-2017:-

*D1 - “Conserve and enhance the historic and planned elements of the Heath’s designed landscapes, while improving their appearance and public facilities”.*

*H6 “Maintain existing views and consider the restoration of lost views where appropriate”.*

*NL3 “Manage the Heath’s grasslands to enhance their nature conservation and aesthetic value”.*

### **Implications**

11. It is estimated that the costs are already funded within the Annual Work Programme and will be met from the Superintendent's Local Risk Budget. Additional costs will relate to the hire of a subsoiler, an estimated cost of £100 per day has been allowed for.
12. A number of donors have come forward offering to pay towards the cost of new signage and this is currently being followed up on.
13. There is a risk of public concern over the vegetation management, particularly the felling of trees to maintain views and fencing off of large sections of the Parliament Hill summit.
14. A combination of temporary on-site notices will be used to keep the public informed about the intended works. In addition the Communication and Information Officer will keep visitors informed via e-newsletters and the website.

15. It is intended to introduce the design concepts to Members of the Hampstead Heath Consultative Committee during their walk on 7 March 2015.

16. There are no legal or property implications.

## **Conclusions**

17. The works will improve ambiance and natural landscape of the Parliament Hill site resulting in a better visitor experience.

18. Key conservation staff and an external Landscape Architect have contributed to the natural design and Multi-Skilled Teams from across Hampstead Heath will be involved in completing the works as part of the on-going Annual Work Programme.

19. Parliament Hill is one of London's iconic view points and is popular with Londoners, the Nation and tourists.

## **Appendices**

- Appendix 1 - Landscape Management Principles
- Appendix 2 - Bench Location Plan
- Appendix 3 - Photographs taken January 2015

## **Additional Information**

London View Management Framework (March 2012) - high-res files

<https://www.london.gov.uk/priorities/planning/supplementary-planning-guidance/view-management/london-view-management-framework-march-2012-high-res-files>

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# Notes:

- Parliament Hill is a very important view point for London and a destination in its own right
- Provide 'necessary minimum' of infrastructure. Use temporary fixtures, if needed, for big events - e.g. temporary rubbish bins.
- RETAIN an uninterrupted view cone on the 'London view' side of the interpretation sign.
- PROVIDE maximum 15no. permanent benches.

- 1A. Relocate litter bin away from the crest of Hill
- 1B. Provide second litter bin OR location for temporary bin during events
2. - Move interpretation sign so it does not coincide with the crossing of the two main path routes  
- Provide stone cobble base around interpretation sign
3. Do not locate any benches in the view cone
4. Provide benches next to path but away from crest
5. Benches looking towards Highgate
6. Benches looking towards St. Pauls



NTS

## LANDSCAPE MANAGEMENT PRINCIPLES

HAMPSTEAD HEATH, PARLIAMENT HILL

DC151/02 6th February 2015

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**BENCH LOCATION PLAN - APRIL 2012**

**HAMPSTEAD HEATH, PARLIAMENT HILL**

DC151/01 6th February 2015

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### Appendix 3 Photographs taken January 2015



Figure 2: Relocate double concrete litter bin from crest of Parliament Hill and fix wooden cladding to soften appearance  
(Note 1 Landscape Management Principles)



Figure 3: Move interpretation sign so it does not coincide with the crossing of the two main path routes  
(Note 2 Landscape Management Principles)



Figure 4: Grass Renovation Works, including deep compaction, levelling and post sward establishment

<b>Committee(s)</b>	<b>Dated:</b>
Hampstead Heath Consultative Committee – For Information	9 March 2015
Hampstead Heath, Highgate Wood and Queen's Park Committee – For Information	23 March 2015
<b>Subject:</b> Update on Tree Safety Management at the North London Open Spaces Division	<b>Public</b>
<b>Report of:</b> Superintendent of Hampstead Heath	<b>For Information</b>

## Summary

This report provides an update on Tree Safety Management across the North London Open Spaces Division. In March 2014 a report was presented to the Hampstead Heath Consultative Committee on Tree Management, and the Committee made a request for an additional report to be presented focussing on tree safety. This report provides information on tree risk management guidance, the tree inspections process, tree incident reporting, tree health, and external review. In addition, the report provides information on the current practices the Tree Team employs to manage the tree stock across the Division, specialist training and information gathering.

## Recommendation

### Members are asked to:

- Note this report.

## Main Report

### Tree Inspection process and Industry Guidelines

1. The total Divisional tree stock across Hampstead Heath, Highgate Wood and Queen's Park is approximately 25,000 trees. It would not be practicable to inspect every single one of these trees, as there is not sufficient resource to do this. The Health and Safety Executive advise adopting a zoning approach for those landowners who manage a large number of trees. In 2007 a Section Minute was released into the public domain by the HSE that prescribed using a two-tier or two-zone system, which would simply divide those trees into high-target areas, such as highways and close to buildings, and low-target trees growing in less-frequented areas such as woodlands. This approach has now been adopted widely by organisations such as the Royal Parks Agency and the National Trust, and by the City of London. The two-zone system should be considered the minimum, and most practitioners adopt a three- to five-zone system.
2. Part of the problem that Tree Managers face is the absence of any form of clear industry guidance or standard. Other than the Health and Safety Executive's



Section Minute mentioned above, there is no accepted guidance document that establishes a standard for all to follow. In 2007 the National Tree Safety Group (NTSG) was established to investigate the feasibility of drafting a British Standard in Tree Risk Management. This would follow a number of other Tree Management British Standard (BS) documents, including BS:5837 and BS:3998 which deal with trees and development and with arboricultural operations respectively. The NTSG spent considerable time and effort in producing a draft standard known as BS:8516, and a specialist separate BS group was set up to draft a document that was sent out for consultation in 2008. The document was widely commented on but met with extensive criticism and ended up being dropped.

3. Fortunately the NTSG continued as a group and produced instead a guidance document 'Common Sense Risk Management of Trees', which following public consultation was released in December 2011. This publication was widely praised by the industry, and also sanctioned by the HSE. Published by the Forestry Commission, the document has now been adopted by many organisations across the Tree Management Sector. In June 2014 the City of London produced its own Tree Safety Policy, which refers directly to the NTSG guidance. This document was adopted by the Open Spaces Committee in June 2014. The NTSG guidance is founded on five key principles:

- Trees provide a wide variety of benefits to Society.
- Trees are living organisms that naturally lose branches or fall.
- The overall risk to human safety is extremely low.
- Tree owners have a legal duty of care.
- Tree owners should take a balanced and proportionate approach to Tree Safety Management.

4. The NTSG guidance document is made up of five chapters, with key sections on the risks from trees, legal requirements, reasonable and balanced tree management, and how to apply the guidance. The document is aimed at all levels of tree ownership, from large organisations right down to small landowners.

### **Tree risk quantified**

5. The key message to convey to all our visitors and staff is that the risk posed by trees shedding branches or collapsing is very low. The Health and Safety Executive website publishes statistics on injuries and fatalities attributable to trees, in both the Forestry and Arboricultural sectors. The generally accepted average figure for related deaths remains at six occurrences per year, although this does fluctuate. It is significant that the number of fatalities of arboricultural workers is also around six occurrences every year, which gives an indication of the level of focus on tree management.
6. The HSE suggest a threshold of risk management of 1:10,000, where any risk above this level is regarded as unacceptable and must be addressed. The 'Tolerable Risk' region extends from 1:10,000 to 1:1,000,000. The risk from trees is calculated to 1:10,000,000 and is therefore considered to be very low. This

calculation was carried out by the Centre for Decision Analysis and Risk Management at Middlesex University, who were commissioned by the NTSG.

## **Tree safety and the Law**

7. Under both the civil law and criminal law, an owner of land on which a tree stands has responsibilities for the Health and Safety of those on or near the land and has potential liabilities arising from the falling of a tree or branch. The civil law gives rise to duties and potential liabilities to pay damages in the event of a breach of those duties. The criminal law gives rise to the risk of prosecution in the event of an infringement of the relevant provisions.

### The civil law

8. Common law: The owner of the land on which a tree stands, together with any party who has control over the tree's management, owes a duty of care at common law to all people who might be injured by the tree. The duty of care is to take reasonable care to avoid acts or omissions that cause a reasonably foreseeable risk of injury to persons or property. If a person is injured by a falling/fallen tree or branch, potential causes of action arise against the tree owner in negligence for a breach of the duty of care, and/or in nuisance (where the tree or branch falls on neighbouring land). The courts have endeavoured to provide a definition of what amounts to reasonable care in the context of tree safety, and have stated that the standard of care is that of the reasonable and prudent landowner. The tree owner is not, however, expected to guarantee that the tree is safe.
9. Occupiers Liability Act 1957: This imposes a statutory duty of care on an occupier of premises to take such care as in all the circumstances of the case is reasonable to see that the visitor will be reasonably safe in using the premises for the purposes for which he is invited or permitted by the occupier to be there. The duty of care under the Act is effectively the same as that at common law in respect of the torts of negligence or nuisance.
10. Occupiers Liability Act 1984: This provides for an occupier's liability to people other than visitors, in particular trespassers. However no duty will arise under this Act in respect of risk resulting from any natural feature of the landscape (which will include a tree) providing that the occupier does not intentionally or recklessly create the risk.
11. Highways Act 1980: Under section 154(2) of the Act a highway authority has the power to require trees growing on land adjacent to the highway that are dead, diseased, damaged or insecurely rooted to be removed by those responsible for the trees and, in default of removal, to take action itself to have the trees removed. This legislation is relevant to all three sites within the Division, as between them they have responsibility for 10 kilometres of roadside trees, Hampstead Heath being the main site with 8 kilometres. The roadside trees located around and across the Heath represent the largest number at 1,300 and these are inspected annually.

12. Some Regulations under the Health and Safety at Work etc Act 1974 may also give rise to liability under the civil law as well as under the criminal law.

### The criminal law

13. Health and Safety at Work etc Act 1974: Sections 2 and 3 of the Act place a duty on employers to ensure, so far as is reasonably practicable, that in the course of conducting their undertaking, employees and members of the public are not put at risk. The acts of felling or lopping a tree clearly falls within the scope of this duty. It is also likely that the growing and management of trees on land falls within the scope of the duty where – as with the City’s management of the Open Spaces – such operations fall within the employer’s undertaking. The proviso “so far as is reasonably practicable” requires an employer to address the practical and proportionate precautions which can be taken to reduce a risk. The courts have indicated that this requires a computation to be made by the employer in which the amount of risk is placed on one scale and the sacrifice involved in the measures necessary for averting the risk, whether in terms of money, time or trouble, or the benefits of conducting the activity, are placed in the other.
14. Management of Health and Safety at Work Regulations 1999: Regulation 3 requires every employer to make a suitable and sufficient assessment of the risks to the Health and Safety of his employees whilst at work, and to other persons arising out of or in connection with the conduct by him of his undertaking. This necessarily requires an employer to undertake a risk assessment of the tree stock on the land which forms part of the undertaking, and to operate an inspection system which focuses available resources on tree stock in high-use, high-target areas. The HSE Section Minute referred to above suggests a zoning process as the most practicable method of complying with this legal duty.

### **Tree Risk management at Hampstead Heath, Highgate Wood, and Queen’s Park.**

15. The three sites that make up the North London Open Spaces Division have exercised a risk zoning process since 2006. This has proved very effective and allows the tree inspection process to be undertaken internally, using the skills and experience of arboricultural staff, all of whom have the LANTRA Professional Tree Inspection Qualification. This is recognised nationally as the required level for those carrying out tree inspections as a regular part of their work, and assessing trees in areas of high use.
16. In order to make the recording of the inspection process easier, we use a tree management database called Arbortrack, widely used by other organisations and landowners, including other City of London Open Spaces. Of the 25,000 trees across the Division, 7,280 are recorded on Arbortrack, which equates to just under 30% of the total estimated tree stock. The majority of these trees are within the high-risk zone containing roads, facilities and surrounding property.

17. In 2012 the zoning system was modified following advice from a Tree Risk Management Consultant, who also carries out annual tree management audits for the Division. This recommendation followed various discussions about the efficacy and precision of the system that was used at the time, and the lengthy process of inspecting every single tree and recording findings. The proposal was to carry out the annual inspection as a 'walk over' process using the Visual Tree Assessment (VTA) protocol, and only recording individual trees that required works. The high, medium, and low zoning system would be retained but the individual zones would themselves be categorised according to perceived risk. This can be mostly easily explained by taking the example of highways and traffic flows, where classification depends on whether the road is a busy arterial road with high numbers of vehicles or mainly used for access only. By 'sequencing' each risk category, it was possible to identify more effectively where the inspection operation could be focused.

HAMPSTEAD HEATH & QUEENS PARK - RISK SEQUENCING AREAS										Date of Inspection	Who	Duration (people hrs)	Number of trees	Tree works required	Post weather event walk over	
Group	Sub Group	Target Type	Target Use	Area & description	Priority No											
<b>High 1</b>																
1	A1	Major external road	Very high volume vehicular traffic	North End Way (both sides) - A road	20	07/02/2014	DH/NH	3 hrs	98	5	Y	Y	12-Dec	15-Jan		
1	A2	Over ground train line	Frequent rail passage	Gospel Train Line (including play facilities)	20	11/02/2014	CD/NH	1.5 mins	46	2	Y	Y				
1	A3	Major external road	Very high volume vehicular traffic	Spaniards Road (both sides & Hampstead Lane orchard section) - B road	20	06/03/2014	CD/NH	4.5 hrs	224	4	Y	Y				
1	B1	Major external road	High to moderate volume vehicular traffic	East Heath Road (incl Vole road, & Whitestone gdn) - Classified unnumbered road	19	10/04/2014	DH/NH		213		Y	Y				
1	B2	Major external road	High to moderate volume vehicular traffic	Southeast Green (inc Keats House, Willow road & Heathside) - Classified unnumbered	19	12/03/2014	CD/NH	2 hrs	75	30	Y	Y				
1	B3	Major external road	High to moderate volume vehicular traffic	Highgate Road - Classified unnumbered road	19	15/04/2014	NH	30 mins	27		Y	Y				
1	C1	Major external road	Moderate volume vehicular traffic	Queens Park (external road) - Classified unnumbered & B road	18	23/06/2014	CD/DH	4hrs	194	9	Y	Y				
1	C2	Major external road	Moderate volume vehicular traffic	West Heath Road (including Branch Hill & Judges Walk)	18	30/06/2014	DH	1.5hrs	138	3	Y	Y				
1	C3	Major external road	Moderate volume vehicular traffic	Hampstead Way/Wildwood Road - Classified unnumbered road	18	03/07/2014	DH/CD/PC	4.5hrs	225	4	Y	Y				
1	C4	Major external road	Moderate volume vehicular traffic	West Heath Avenue - Classified unnumbered road links to A road	18	20/06/2014	DH/JM	1hr	15		Y	Y				
1	D1	Major external road	Moderate to low volume vehicular traffic	Millfield Lane - Classified unnumbered road links to B road	17	04/07/2014	CD	1hr	60		Y	Y				
<b>High 2</b>																
2	A	Focus/formal areas	High public invited access area	Dams - Water safety management area	16		MS	4 hrs	76		Y	Y				
2	B1	Focus/formal areas	High public invited access area	Queens Park - High local residency	15	15/09/2014	CD/MS	5hrs	374	13	Y	Y				
2	B2	Focus/formal areas	High public invited access area	Golders Hill Park - Moderate - high local residency	15	12/11/2014	DH/CD/MS	6hrs	1499	13	Y	Y				
2	C	Focus/formal areas	High public invited access area	Play & education areas - inc PH, EH, Vale, GH, Ext & KW	14	18/11/2014	CD/MS	6hrs	105	9	Y	Y				
2	D	Focus/formal areas	High public invited access area	Swimming Ponds - Amenity usage	13	08/11/2014	CD/MS	6hrs		3	Y	Y				
<b>Medium</b>																
3	A1	Paths/tracks	High to moderate pedestrian use	Parliament Hill below Kyte Hill - Surfaced footpath/pavement	12	26/1/2015	DH/CD/AN/MS	2.5hrs	?	9	Y	Y				
3	A2	Property boundary	High to moderate pedestrian use	Various (see map)	12	23/12/2014	AN	5hrs	?	3	Y	Y				
3	A3	Paths/tracks	High to moderate pedestrian use	Cycle Tracks - Surfaced footpath/pavement	12	06/02/2015	CD/AN/MS		?		Y	Y				
3	B	Paths/tracks	Moderate to high pedestrian use	Hampstead Gate - Chubb path - South Meadow tarmac path	11	14/01/2015	MS/AN	3hrs			Y	Y				
3	C	Paths/tracks	Moderate to high pedestrian use	Hill Garden & outside the main entrance - Surfaced footpath/pavement	10	15/12/2014	DH/CD/AN	3hrs	57	1	Y	Y				
3	D	Paths/tracks	Moderate to high pedestrian use	Lime Avenue - Surfaced footpath/pavement	9	22/12/2014	AN	1hr		1	Y	Y				
3	E	Paths/tracks	Moderate to high pedestrian use	West Heath Main paths - Surfaced footpath/pavement	8						Y	Y				
3	F	Paths/tracks	Moderate to high pedestrian use	Extension internal paths - Surfaced footpath/pavement	7						Y	Y				
3	G	Paths/tracks	Moderate to high pedestrian use	Pond Beat - Surfaced footpath/pavement	6						Y	Y				
3	H1	Paths/tracks	Moderate pedestrian use	Athlone garden - Surfaced footpath/pavement	5						Y	Y				
3	H2	Paths/tracks	Moderate pedestrian use	Sandy Heath internal paths - Surfaced footpath/pavement	5						Y	Y				
<b>Low 1</b>																
4	A	Bridal Paths	Moderate to low horse & pedestrian use	Horse Rides Ext, Sandy, West Heath South Meadow - Bridal path (designated)	4											
4	B1	Paths/tracks	Moderate to low pedestrian use	Vale foot paths - Broad trodden track, pedestrian use	3											
4	B2	Paths/tracks	Moderate to low pedestrian use	Cohens Field - Broad trodden track, pedestrian use	3											
4	C	Desire paths	Moderate to low pedestrian use	Various Heath wide desire paths - Narrow single file trodden footpath	2											
<b>Low 2</b>																
5	A	Restricted/fenced off areas	Low pedestrian use	Bird sanctuaries & fenced ponds - Only authorised personnel enjoy access	1											
<div> <div> Group 1 Group 2 Group 3 Group 4 Group 5 </div> <div> Major roads &amp; rail line Formal areas Paths &amp; well used tracks Bridal ways &amp; significant desire lines Fenced off area </div> <div> <div>High 1 High 2 Medium Low 1 Low 2</div> <div>High Use targets Medium Use targets Low Use targets</div> </div> <div> <div>Areas out of 31 22</div> <div> <div>Hrs 3264</div> <div>Trees 3264</div> </div> <div>as of ... 26/01/2015</div> </div> </div>																

Figure 1: Tree inspection schedule for 2014

18. The Risk Sequencing System (RSS) has been very successful, allowing the Team to inspect trees more effectively and achieve higher inspection numbers. The success of the system is highly dependent on the competence and training of the inspector. The trees that are being re-inspected are well known to the Inspection Team, and are each already recorded with their individual history on the Arbortrack database. Trees that require work are recorded and then allocated a priority on a separate works list, which is regularly updated by the Tree Management Officer. Tree inspection progress is reviewed at regular meetings between the Tree Manager and the Tree Management Officer. All tree incidents are recorded on a separate database that has been maintained since 2008.

## Specialist tree inspection work

19. Members of the Tree Team have developed their skills and experience in carrying out detailed tree assessment over the past six years, and can now employ a variety of technical investigatory procedures that can determine structural integrity and the extent of decay in older or damaged trees. They can employ a micro drilling device called a Resistograph, which provides an instantaneous visual display of the internal structure of the branch or stem being assessed. This device allows the Team to determine the 'residual wall' strength of the tree and make decisions on whether the tree requires a crown reduction or other suitable management. The acceptable rule of 30% of the known radius of the tree's main stem is considered to be the optimum wall thickness, but there are exceptions to this guidance, depending on age and species.



Figure 2: Resistograph being used to test for internal decay

20. The Tree Team has also started to carry out more root inspection work when possible, often on trees where there are evident fruiting fungal bodies, or where the root zone is compacted. The Team uses a compressor-powered air lance or air spade to carry out the excavation work, which prevents damage to the larger, more significant lateral and supportive roots. This equipment has been used to great effect on a number of trees where root damage has been suspected and allowed construction design to be altered to avoid further damage. Air spading has proven very effective at reducing compaction around veteran trees on the busier, more frequented areas of Hampstead Heath. The image below is from a recent investigation in Highgate Wood on one of the larger oaks near Muswell Hill Road. The tree was previously damaged in the 1987 storm and it was discovered that the main stem has a significant crack that has now occluded over but can still be detected using the Resistograph.





Figure 3: Oak tree root investigation at Highgate Wood

**Other technical skills including lifting and lowering operations.**



Figure 4: Veteran oak crown reduction



Figure 5: Dismantling of a field boundary oak

21. Figures 4 and 5 above show lifting and lowering operations undertaken by the Tree Team over the past twelve months. Figure 4 involved a light crown reduction on a veteran oak at the bottom of the Tumulus Field, using the Highgate Wood hydraulic work platform. Figure 5 shows the Team working on an old field boundary oak in Golders Hill Park, which required dismantling using a 'spider' crane. The Team has started to use both types of equipment with greater

frequency, developing their skills and expertise on technically challenging operations that would have previously required bringing in external contractors.

22. The significance of this changing approach to tree management is reflected more widely within the industry, with a greater emphasis on saving trees that would have previously simply been removed. Over the past ten to fifteen years, there has been an 'awakening' in the arboricultural world, with increased scientific understanding of the biomechanical properties of trees and their biology, and equally importantly how they interact with their surrounding environment. Arboriculturists can now employ an in-depth understanding of the 'body language' of trees, their complex relationship with the soil environment and other species, notably fungi. Equipped with this greater understanding of how trees grow and adapt to a suite of varying factors, the tree inspector can make more-informed decisions on how trees can be safely managed without major interventions.

### **Pest and Disease threats and the impact on tree safety**

23. The Tree Team actively inspects populations of oak, London plane, ash and horse chestnuts for the presence of Oak Processionary Moth, Massaria, ash dieback, and horse chestnut bleeding canker. Records are kept of findings and then transferred to a series of maps that plot the extent of each respective disease. Trees that are sited in the high and medium zones are numerically prioritised and are subject to annual walk-over inspection by the Tree Team. Massaria of Plane remains a significant operational focus for the Tree Team, with established infection sites at South End Green and Queen's Park.



**Figure 6: Branches with Massaria**

24. Both the Divisional Tree Manager and the Tree Officer are involved with the London Tree Officers Association (LTOA) in the management of tree disease. The Tree Manager is a member of the LTOA's Biosecurity Working Party, which



meets quarterly, and the Tree Officer has been significantly involved in the LTOA's guidance on managing Massaria. The importance of working with other organisations such as the Arboricultural Association and the Forestry Commission is critical in the ongoing control of tree disease.

25. The Tree Team works closely with partners in the Forestry Commission to track male Oak Processionary Moths (OPM), using pheromone traps across the site which feeds back into a London-wide mapping strategy. Last year 27 male moths were discovered in the traps across the Division. As yet, there have been no egg-carrying females discovered but there are known nests at the Zoo in Regent's Park, just over two kilometres to the south of the Heath. There have also been nests found at an Open Space in the Borough of Brent, which is within two kilometres of Queen's Park. This year there has been an additional winter survey carried out which has provided accurate information on the insect's current distribution in the London area. A number of further nests have been discovered in Regent's Park which is significant for the Heath. One of the potential concerns about the caterpillar when it is discovered on site is the impact this will have on the Tree Team's ability to work on the trees that have been colonised. The arrival of OPM will impact not only on public access and safety but also on existing tree management operations, and will need to be carefully considered.

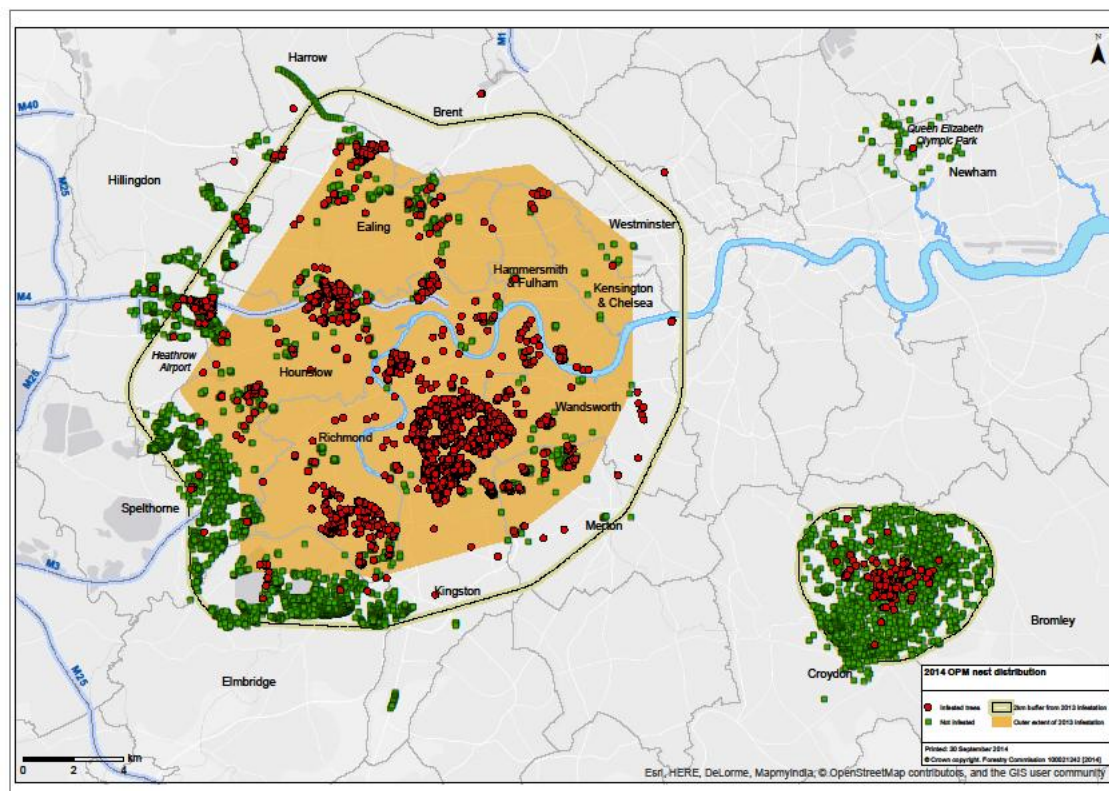


Figure 7: Oak Processionary Moth spread 2014

## Increased frequency of extreme weather events

26. The St Jude's Storm in October 2013 caused a huge increase in the tree incident records at both Hampstead Heath and Highgate Wood. The final total for 2013 was over 300 recorded incidents, a fourfold increase on the annual average. The impact of this was that the Tree Team's operational work was severely disrupted

and other teams had to provide support for the process of making the many damaged trees safe and clearing debris. A storm of this magnitude is commonplace in other parts of the world but in the UK it is relatively rare, though this trend is changing. This winter we have experienced a number of strong westerly weather systems, bringing high winds and heavy rain, but fortunately the predictions from the Meteorological Office proved to be incorrect and the damage this year has so far been very low.

27. In Highgate Wood, Golders Hill Park and Queen's Park, an early warning system has been introduced, using the Meteorological Office's messaging service. Storm warnings are generally issued three to four days beforehand, and this allows Management to issue instructions to staff to install signage warning of a possible site closure due to high winds. The system has been employed twice over the past three months but closures were not necessary, due to lower than predicted wind speeds.

### **Corporate & Strategic Implications**

28. Tree management contributes to producing a Clean, Pleasant and Attractive City (Objective CPAC4) and to Conserve and Protect Biodiversity (Goal 15) in the Community Strategy. It will also help fulfil the Department's Strategic Goals and Objectives: No. 2. To adopt sustainable and sensitive working practices, promote biodiversity and protect the Open Spaces for the enjoyment of future generations, and No. 5. To ensure that the profile of the Open Spaces is further recognised through working in partnership with others to promote our sites and through influencing policies at a local, regional and national level.

### **Implications**

29. There are no anticipated financial implications resulting from this report.
30. The legal implications are contained within the body of this report.

### **Conclusion**

31. The Tree Safety Management process at Hampstead Heath, Highgate Wood, and Queen's Park has developed in line with industry changes and a new, more scientifically based approach to managing trees. This new approach still has to operate within the parameters of the relevant legal requirements and Health and Safety considerations. The increasing frequency of severe weather events and the added requirement to manage the impact of tree disease is creating challenges for the Tree Management Team. Developing knowledge and technology, and the sharing of expertise and support from other organisations involved in the sector, will be critical in continuing to deliver a high-quality Tree Safety Management service.

### **Appendices**

- Appendix 1 – 'Managing Tree Safety' City of London Open Spaces Department June 2014

## **Background Papers**

- National Tree Safety Group guidance document 'Common Sense Risk Management of Trees'. Available to view or download from:  
<http://www.forestry.gov.uk/publications>.

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# CoL OPEN SPACES DEPARTMENT POLICY: MANAGING TREE SAFETY

## 1. Policy Introduction and Context:

**1.1** Each Division, for its geographic area of responsibility where it would be deemed as the occupier as defined by the Occupiers' Liabilities Acts, must have a risk limitation strategy for trees based upon the 5 key principles identified by the National Tree Safety Group in *Common Sense Management of Trees* (NTSG 2011) endorsed by the Health and Safety Executive (HSE).

### The 5 key principles

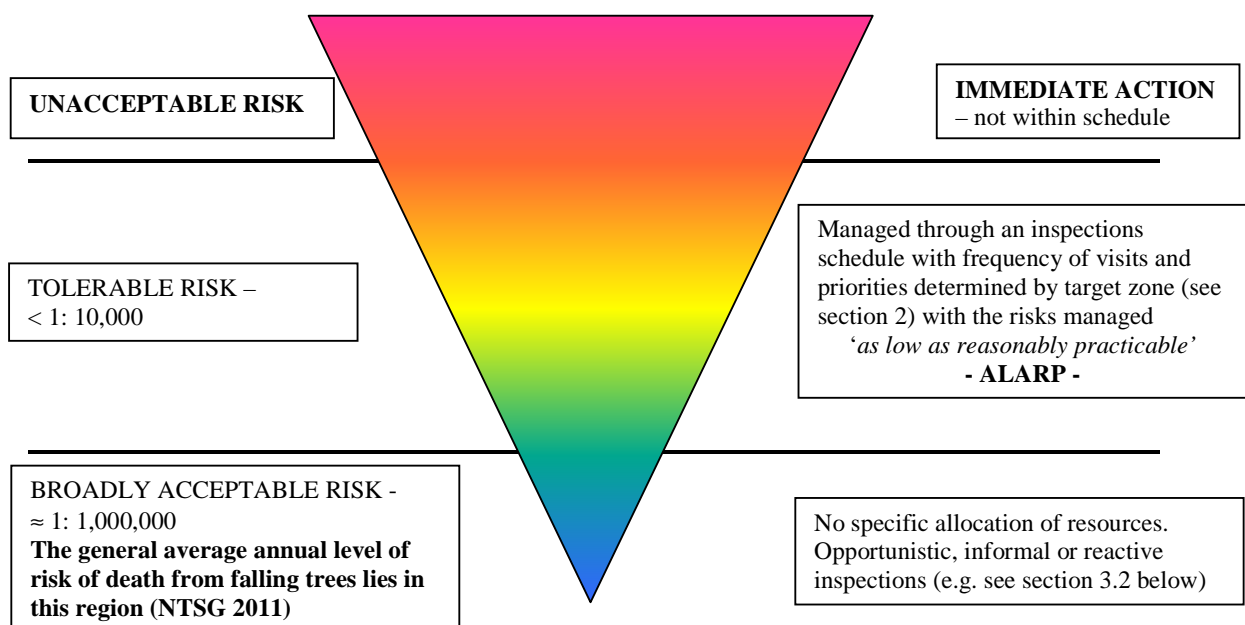
- trees provide a wide variety of benefits to society (including supporting significant biodiversity)
- trees are living organisms that naturally lose branches or fall
- the overall risk to human safety is extremely low
- tree owners have a legal duty of care
- tree safety management should be balanced & proportionate to risk/benefit.

**1.2** As part of each Divisional Strategy there must be a:

- clear zoning system
- verifiable tree hazard inspection regime
- balanced, proportionate risk assessment
- clear risk management process.

**1.3** The Tolerability of Risk (ToR) Framework set out in Figure 1 below will be the basis for each Divisional strategy. Therefore, in deciding upon actions, the evaluation of what is reasonable and proportionate intervention must be based upon a balance between the benefits and potential for harm. The risk of being killed by a falling branch or tree is extremely low according to the HSE (Figure 1).

**Figure 1: Tolerability of Risk Framework**



**1.4** In general, NTSG 2011 states that “*the courts appear to indicate that the standard of inspection is proportional to the size of and resources available (in terms of expertise) to the landowner*”. In determining the resources the level of risk, which is very low (Fig. 1), is also key and a “*reasonable and prudent*” approach is required in this context.

**1.5** The risk management process and tree hazard inspections should not lead to a loss of character or species diversity within Open Spaces. It should ensure that a balance is maintained between nature and landscape conservation, public access, recreation and enjoyment, and risks to safety posed by trees.

**1.6** Except where there is an imminent danger to life, before work is undertaken on any tree an assessment of its use by bats (and other protected species) as well as of the general requirements of any statutory wildlife protection of the site (e.g. SSSI/SAC) must be undertaken and advice sought from relevant authorities to prevent damage to those species or habitats. For bats a Bat Risk Assessment form should be completed to provide written evidence of procedure and to record the rationale for subsequent actions.

**1.7** In order to undertake a tree risk assessment the two separate factors of *Risk* and *Hazard* must be addressed:

- **Risk** is an estimate of the likelihood and severity of an adverse event occurring. The NTSG (2011) principles upon which this policy is based recognise that overall the risk to human safety from trees is extremely low (see Figure 1 above). Risk is related to the location of the tree. It reflects the intensity of use of the immediate surroundings of the tree and the proximity of the tree to buildings or other structures. The intensity of use by the public, staff, volunteers and contractors within Open Spaces is not evenly distributed and, therefore, levels of risk may vary across a site. This fact must be recognised in an appropriate, site-specific tree inspection zoning system.
- **Hazard:** Trees are subject to decline, physical damage and infection. As trees deteriorate they are increasingly likely to shed limbs or fall in strong winds and the potential to cause harm increases. Remedial action is only necessary when there is clearly a significant risk to life or property. This might mean either removing part of the tree that is creating the hazard or reducing the level of public access in the vicinity or both.

## **2. Divisional Zoning System**

**2.1** The zone designation below will determine the priority and regularity of proactive inspections.

**2.2** Divisional resources must be directed to the areas in proportion to the potential for harm to people and property. As such, zones must be related to identifiable, potential “targets”, both physical targets such as property and targets based on level of usage of an area by people. Both the nature and frequency of use of the “target” by people need to be taken into account. Where no data on levels or patterns of use are directly available for an area, the level of use by people should be a reasonable estimate based on local knowledge of the area and its particular features. A reasonable outcome of the zoning process may be the decision that some areas require no proactive inspections.

**2.3** Decisions on zones and the definition of each zone need to be recorded and be accessible for inspection. Zoning systems at each Divisional area of responsibility should be reviewed periodically in order to take account of significant changes to site use, the uses of adjoining land or modifications to site boundaries.

**2.4** Zoning will be achieved by each Division by designating each area of land under its responsibility into a minimum of three *Use Levels* requiring some level of proactive inspections based on the concepts of risk and hazard outlined above.

- **High Use targets** - coloured **red** on the tree inspection map.
- **Medium Use targets** - coloured **amber** on the tree inspection map.
- **Low Use targets** - coloured **green** on the tree inspection map.

**2.5** Within the Open Spaces the variety of sites and situations, rural and urban, is very large and zoning needs to reflect local knowledge and divisional differences. It should be recognised that within each of the target zones, there may be a need to prioritize further based on availability of resources.

**2.6** Areas deemed as of *broadly acceptable risk* (see Figure 1 above) because of low use and low target levels would require zoning so that the demarcation is clear but may not require proactive inspections. These will be demarcated but left **uncoloured** on the zone map.

### **3. Inspection regimes**

#### **3.1 Proactive Inspection Regime and Competence Level for Inspectors**

3.1.1 The identified coloured zones above must each have a proactive, formal inspection regime defined and carried out at a frequency based on the level of use of the target. A competent Inspector will assess the tree. For all Open Spaces Department formal inspections, tree inspectors will be trained to LANTRA Professional Level, have passed the Professional Tree Inspection (PTI) course and possess demonstrable, recent experience of tree risk assessment work.

3.1.2 Defects on the trees will be recorded in order to assess the potential hazard and consider the risk posed by the defect. Given that the risk to human safety from trees is, in general, very low the assessment of defects needs to bear this in mind. However, where i) the risk to a target is considered high (see Figure 1 above); ii) the tree is of importance for nature conservation or has landscape value and iii) the nature of the hazard posed by the defect is uncertain (e.g. level of internal decay) more detailed assessments may be carried out before a decision on the type of action required is taken.

3.1.3 During walk-by inspections within a surveyed zone, trees with no obvious defects, that appeared sound and that required no further level of inspection would not need to be recorded. A record of the visit to that zone by the inspector would be all that would be required. However, any trees subject to more detailed individual inspection, whether requiring subsequent action or not, would require a record. Once the work has been completed on these recorded trees, if they are retained rather than felled they do not necessarily require future recording unless a subsequent survey flags them up again as having obvious new defects requiring another inspection. However, in High Use Target zones, should time and resources allow, site managers may wish to continue individual inspection regimes once started. However, this is not a requirement of this policy and will be dependent on the characteristics of the trees involved and the nature of the site and its zones. The purpose of the annual inspection is to pick out obvious problems and prioritize them, not to repeat recording.

3.1.4 All records must be readily accessible to relevant staff and will be kept indefinitely. This will be especially important for those trees located next to Highways and other high use target zones.

3.1.5 Any tree works that are required must be prioritized according to risk, taking account of location (target level) and hazard, and there must be a recommended period for the work to be carried out. The range of this period might be from immediate action up to a recommendation for work within 12 months.

#### **3.2 Reactive Inspections**

3.2.1 Sites must have a local emergency plan that details the actions to be taken in the event of severe weather conditions or events, such as storms, flooding, drought and fire. This emergency plan would be additional to, over and above, the regular proactive inspection regime. There also may be the need for other reactive inspections over and above the proactive inspection regime where a new target is created or develops rapidly (e.g. an unplanned public event).

3.2.2 Therefore, in either enacting an emergency plan or responding to a new and changing situation, reactive inspections of trees should be focused on identifying *serious and present dangers* (NTSG 2011). Such inspections may be carried out by any person able to identify such threats and with a good local knowledge of the site. Such persons do not need to be qualified specifically for tree inspections. These reactive inspections do not constitute detailed inspections, as defined by NTSG 2011. However, follow-up detailed inspections of identified trees by PTI-qualified inspectors may be required in order to prioritize remedial action if large amounts of work are involved.



3.2.3 For reactive inspections following weather events, including drive-by checks, the top priority is to identify the areas of worst damage and then to prioritize the inspections in order of zonal priority but this may include areas not normally proactively inspected, if deemed necessary, because of new *serious and present dangers* created by the event or reported by others on the site.

#### 4. Risk assessments and determining priorities

**4.1** Risk assessments may be qualitative or quantitative to suit the needs and resources of each Division and each site. For larger, more complex sites with many targets and many trees, quantitative assessments, such as provided by a Target Risk Index (TRI), should be considered as an option to help stratify priorities and determine the order and speed with which remedial action is taken.

**4.2** If a quantitative system is chosen it should be based on target sequencing to generate a Target Risk Index (TRI). Resource allocation should take an As-Low-As-Reasonably-Practicable (ALARP) approach as described in the NTSG guidance (2011 and see Figure 1 above).

**4.3** A priority matrix should be formulated based on the hazard rating: - Tolerability of Risk (ToR) (see Figure 1 above) and the Target Risk Index (TRI). This matrix would then enable cost-effective decisions to be made with clear justifications.

#### What Documentation Should be Kept?

- Up-to-date tree zoning maps, zoning rationale and reviews
- Records of tree inspection visits/timesheets – signed and dated by inspector.
- Individual tree management recommendations and actions, preferably also on a computer GIS database (e.g. *Arbortrack*, *EzyTreev*) for larger sites
- Records of more detailed individual tree investigations if undertaken – (e.g. *Picus* tomography records of internal decay)
- Records and details of reactive inspections following severe weather events and any site closure programme.
- Records of any tree disease survey or other tree health monitoring activities.
- Records of training and copies of certificates for all relevant members of staff.
- Records of contractors and their competency checks.

#### Summary of Open Spaces Policy for Managing Trees

- Each Division must have tree safety management guidelines comprising of tree zone map(s), tree inspection regime, and tree risk assessment & management procedure.
- Deal with immediate threats to public safety as a priority.
- Keep records of the assessment of trees and the remedial actions taken.
- A competent person will undertake inspections of trees to assess the risks they pose. Keep records of tree safety training and monitor these to ensure training and certificates renewed.
- Inspect areas of high use levels as soon as is reasonably practicable and within five days of any storm event, and record the appropriate measures taken to make the site safe.
- Monitor the weather forecasts and print off the relevant information and display appropriately.
- Monitor the near miss records as per the tree safety management system and transfer records to tree safety recording forms/database.
- Undertake appropriate surveys of trees for environmental factors that are hazardous to human health e.g. Oak Processionary Moth. Take appropriate action and record the activity.

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<b>Committee(s)</b>	<b>Dated:</b>
Hampstead Heath Consultative Committee – For Information	9 March 2015
Hampstead Heath, Highgate Wood and Queen's Park Committee – For Information	23 March 2015
<b>Subject:</b> Eleven years of plant monitoring on Hampstead Heath	<b>Public</b>
<b>Report of:</b> Superintendent of Hampstead Heath	<b>For Information</b>

## Summary

This report summarises the results of a long-term programme of plant monitoring which started 11 years ago. The work was confined to selected areas and selected native species, the latter primarily those which, though valuable for wildlife, can spread to an unwanted degree.

A study of the Heath's finest wildflower meadow, the Sparrows Site, indicated that it is maintaining its diversity of species, and that the beneficial plant, yellow rattle, has increased in abundance. Monitoring of, tormentil, a desirable but uncommon plant which grows on another part of the Heath, showed that it has spread following management action.

On the down side, creeping thistle, ragwort, hogweed and bramble, all native but potentially invasive species, were found to be spreading on the Heath. There is no legal requirement to control any of these plants, and they are important for biodiversity, especially bramble and thistle, but intervention is necessary to prevent them spreading to cover large areas, impeding public access and reducing the area of grassland. An effective programme of bramble cutting is now in place, while management interventions to control the spread of creeping thistle, ragwort and hogweed has reduced, but not eliminated, unwanted populations. In addition, Himalayan bramble, a large invasive alien blackberry, now grows on the Heath, but it is too early to say if it will become a significant problem.

In the long term, it is possible that, in addition to existing management methods, limited use of herbicides may be required to help control some native invasive plants.

## Recommendation

Members are asked to:

- Note the contents of this report.

## **Main Report**

### **Background**

1. The plant communities of Hampstead Heath are continually changing, due to a wide range of factors such as natural succession, past and current management, public pressure and weather. This report outlines the results of monitoring change in grassland over the past five to 11 years; with the aim of informing future management. Some of this work has been funded by the City Bridge Trust.
2. It is not possible to monitor the whole of the Heath in detail, so certain areas and species were chosen to study. Most of the selected species were native plants, which are important to maintain on the Heath, but which can be invasive. If not managed, they can come to dominate large areas of meadow, to the exclusion of other plants and the public. It must be stressed that while these plants are important for biodiversity, they should not be allowed to spread on the Heath at will. Non-native species, of which there are many on the Heath, were not studied in this project, with the exception of the Himalayan species of bramble.
3. The areas and species chosen were:
  - Small Tumulus Field, a complex area of grassland and scrub.
  - The Sparrows Site, a wildflower meadow sown in 2010.
  - A meadow on the Heath Extension which was sown with wild flowers over 20 years ago and where experimental management is being carried out.
  - Creeping thistle.
  - Common hogweed.
  - Bramble.
  - Soft rush.
  - Bracken.
  - Tormentil, an uncommon, non-invasive plant.

### **Current Position**

4. Sown wild flower meadows tend to decline over the years, but so far the Sparrows Site is doing very well, and is still extremely attractive. It was found that the diversity of wild flowers there has been maintained over the five years since it was sown. The amount of yellow rattle has increased considerably; this uncommon plant was included in the seed mix, and is highly desirable as it is parasitic on grasses, so usefully reduces the dominance of grasses in the sward, allowing 'wild flowers' to flourish.
5. Creeping thistle, an invasive species which can take over wild flower meadows, has unfortunately also increased in prevalence on the Sparrows Site. It is important to try and contain this plant. The annual mowing helps to reduce it, and volunteers pulled some of it up on the site in 2014 (and it is hoped to repeat this in 2015), but it is possible that spot treatment with herbicides may be necessary in the long term.

6. An experiment in managing another area of grassland, also relatively rich in wild flowers, was established on the Heath Extension in 2011. This involved carrying out different cutting regimes. No significant changes in sward composition have so far been detected, but the experiment is long term in nature, and it is too early to draw conclusions.
7. Until the late 1980s most of the grassland on the Heath was kept short by frequent gang mowing, preventing the establishment of creeping thistle, ragwort, hogweed and bramble. These four native but invasive species are now common on the Heath. This indicates that close mowing can control these plants over the long term, but short grass is not the ethos of Heath management today.
8. Monitoring confirmed that creeping thistle, ragwort and hogweed are continuing to spread despite efforts to control them. The spread is probably mostly due to erosion caused by public pressure. Seedlings cannot usually establish in healthy dense swards, but overuse produces bare areas which are ideal for them.
9. Cutting just before flowering greatly reduces the density and spread of creeping thistle but, for example, five years of such mowing in the Small Tumulus Field has not eradicated it, although it has reduced its abundance. An experiment in monthly cutting, of formerly dense thistle on Parliament Hill, has recently been started but such management is undesirable on a wide scale.
10. Control of ragwort on Hampstead Heath is not legally required, however it would be preferable to eradicate it from the main meadows, so that the cut grass can be used for hay; ragwort is poisonous to stock. Pulling is the most effective way of getting rid of this plant on the Heath but lack of resources prevents this on a large scale.
11. Hogweed (not to be confused with giant hogweed) now seems to be spreading relatively quickly on the Heath, which may be a national trend. Mowing or cutting the flowers off reduces spread but does not eradicate a population, at least in the short term. It is too abundant to be dug out.
12. In the long term, limited use of herbicides may be required to supplement existing management techniques in order to eradicate particularly troublesome populations of creeping thistle, ragwort and hogweed.
13. Bramble has spread in open areas over the past few years, mainly through expansion of existing patches due to insufficient management. Bramble is relatively easy to control by repeated mowing over a couple of years, and a coordinated programme of management to reduce it in open land to recent levels is now in operation. Bramble is a vital habitat, and it will continue to be retained alongside hedges and woodlands. Established patches in meadows will also be retained, but recent expansion will be curbed and it will not be allowed to spread further into open land.
14. Himalayan bramble, a robust and invasive alien species, has started to establish on the Heath. It originated from cultivated blackberries and is a significant

problem abroad. Efforts are being made to eradicate any patches found, but it is too early to say if it will be pose a serious risk to the Heath in future.

15. Bracken and soft rush were not found to be problems in grassland.
16. Tormentil is a small plant which is characteristic of acid grassland and heathland, but which is now uncommon on the Heath. Recent management has aimed at increasing the extent of the main population, and this study showed that this has been successful, although more can be done.

## **Proposals**

17. It is proposed that the programme of monitoring plants on the Heath continue. This is vital in order to assess the need for and success of management to maintain the natural aspect and biodiversity of the Heath and allow public enjoyment of and access to it.

## **Corporate & Strategic Implications**

18. The work supports the City Together Strategy theme ... *protects, promotes and enhances our environment*.
19. The Heath's Management Plan commits the Heath to survey and monitor selected flora, fauna and habitats.

## **Implications**

20. The City has a legal duty under the Hampstead Heath Act 1871 to maintain the natural aspect of the Heath.
21. There is a reputational risk in not pro-actively managing the natural aspect of the Heath. Left unchecked the mosaic of diverse habitats for which the Heath is renowned would be lost to secondary woodland cover and scrub. Management is also required to maintain public access to, and enjoyment of the Heath. Knowledge of how the Heath is changing is required to manage the Heath effectively.
22. Funding for plant monitoring will be met for the Superintendent's Local Risk Budget.

## **Conclusions**

23. Monitoring the populations of selected native plants on the Heath has provided information on changes in the vegetation and the impacts of management, which is useful in determining future action.
24. Desirable wild flower populations have been maintained or have expanded. However, the extents of certain invasive native species have in some cases increased undesirably. Management is in place to control unwanted expansions, but, while limiting spread, it was found that in some cases this has not been

totally effective. In the long term limited treatment with herbicides may be required in certain restricted situations.

25. Monitoring vegetation on the Heath should continue.

## **Appendices**

- Appendix 1: Eleven years of plant monitoring on Hampstead Heath

### **Meg Game**

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## ELEVEN YEARS OF PLANT MONITORING ON HAMPSTEAD HEATH

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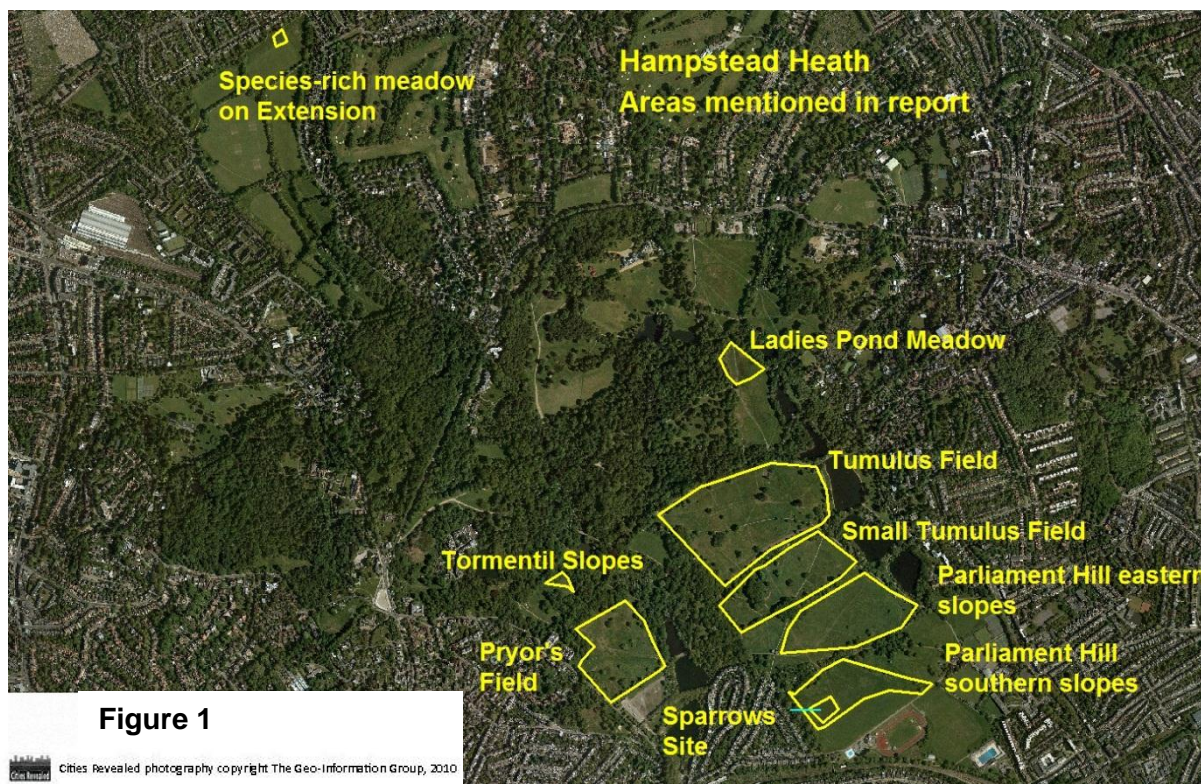
### Introduction

It is important to know how plant communities are changing if the Heath is to be managed effectively. This document reports the results of a continuing programme of plant monitoring which has been carried out, in some cases, over eleven years. The programme focusses on selected areas and on potentially invasive native species. Alien species were not covered except for a non-native species of bramble. Some of the work was carried out through funding from the City Bridge Trust.

### The areas and species surveyed

The areas and species surveyed are shown in figure 1 and were as follows.

- **Small Tumulus Field**, an area of grassland and scrub on the eastern side of Parliament Hill. It was chosen as a site to monitor as it is valuable for biodiversity, but is changing, and contains potentially invasive species such as creeping thistle, ragwort, bramble and hogweed.
- **The ‘Sparrows site’ wildflower meadow**, above the running track and on the south slope of Parliament Hill. This was sown with wild flowers in spring 2010, and it is interesting and useful to see how the plant communities evolve.
- **A species-rich meadow on the Extension** which was sown with wild flowers after a gas pipeline was installed about 20 years ago.



**Figure 1**

- **Selected areas of creeping thistle, hogweed, bramble, rush and bracken**, for example in Pryor's Field and on the southern slopes of Parliament Hill. Several of these native plants are important for biodiversity, for example providing nectar for bees and insects or cover for birds. However, if not managed, they can all spread, out-competing other plants and impeding access. It is therefore important we have information on how the populations of these plants are changing.
- **Tormentil at the 'Tormentil Slopes' near the Vale of Health.** Tormentil, which is not an invasive plant, is an 'indicator' species of acid grasslands and heathland, and would once have been common at the higher elevations of the Heath. Only one large population still exists, near the Vale of Health. This is monitored to check management is effective and assess attempts to extend the population.

## **Methods**

Two methods were used for measuring the location and abundance of plants. Plant communities, such as the Sparrows Site, were monitored by recording the abundance of each species in carefully placed 'quadrats' one square metre in area located with GPS equipment. The quadrats were placed in a systematic arrangement and close to the same positions each year. A second method was used to record individual species; representative areas of these were selected to record and the edges of these patches were mapped.

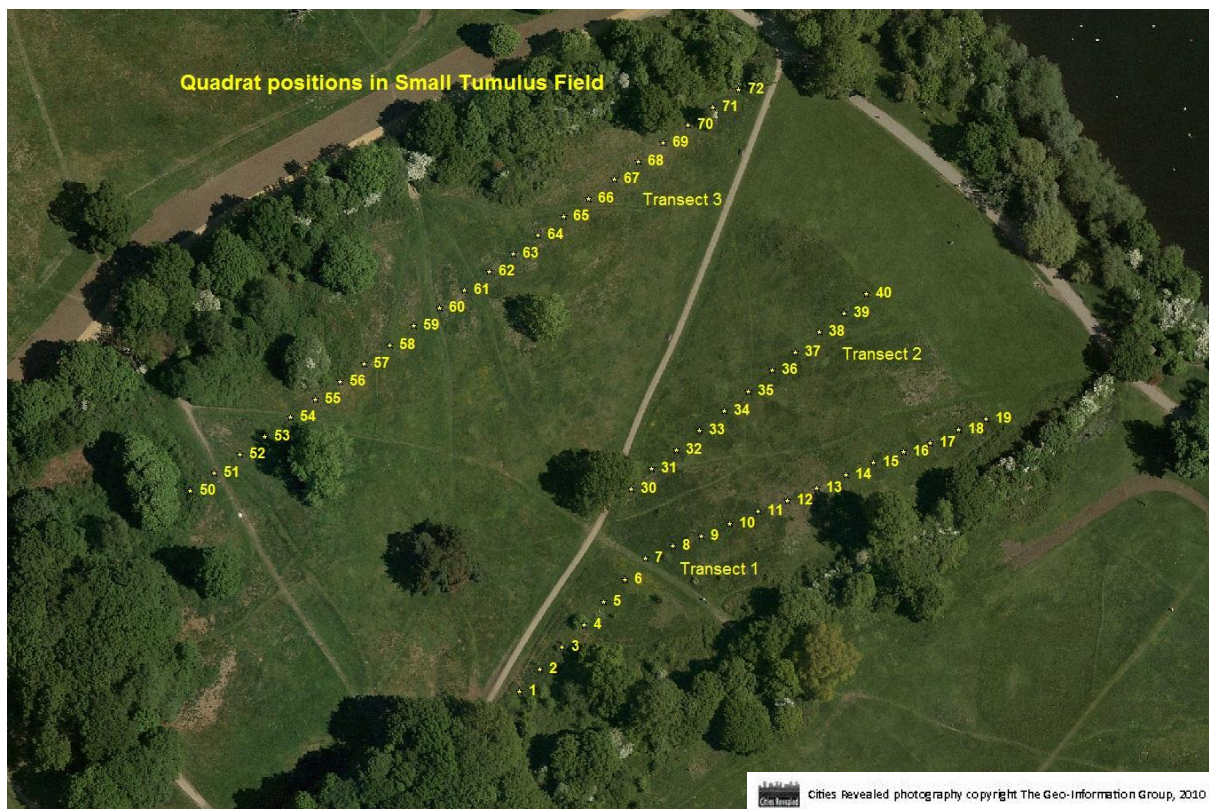
The accuracy of measurements improved over the period of monitoring as better GPS equipment was available. The original device used provided a typical accuracy of 3 to 5 metres, which seemed excellent at the time, but a device purchased in 2013 with City Bridge Trust funding can obtain sub-metre accuracy in good conditions. The lesser accuracy of earlier measurements needs to be borne in mind when assessing the results of the monitoring. Not all the intended monitoring was carried out in 2014, principally due to lack of time.



## **Results**

### **Small Tumulus Field**

Much of Small Tumulus Field is grassy, but the east side is partly scrub. Monitoring began in 2009 and it was planned to record 44 quadrats in three long transects across this field. In fact not all quadrats could be surveyed every year, due to access problems where thistle and bramble were dense, because areas were cut before the survey date to try and control hogweed or thistle, or due to lack of time. Quadrats 1 and 2 were inaccessible from the first survey year due to dense thistle and bramble.



**Figure 2**

#### The south-west corner, quadrats 1-10

During the survey years, no management was undertaken in the south-west area, quadrats 1-6. Grass was a significant component of the vegetation in the south-west in 2009 and 2010, with some thistle and bramble, but this area has changed, progressively becoming more overgrown since then, and is now dominated by thistle and bramble together with several bushes and saplings. Bramble has also expanded around quadrats 7 to 10 lower down the slope.

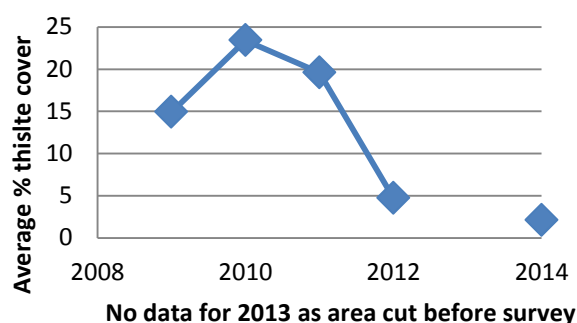
Scrub and bramble is an exceptionally important habitat, providing nectar, seeds, fruits, shelter and nest sites for invertebrates, birds and small mammals. Notably, whitethroat are often seen in this area and probably breed here in most years. A range of scrub ages and structure is important if the value for wildlife is to be maximised, and its value will be lost unless it is managed. At the same time the area of grassland should not be eroded. For these reasons the plan is to cut back the scrub here every five years or so to create habitat variety and prevent expansion of bramble thickets down slope; not all of it will be cut at once.

This management has been planned for several years, but was not carried out until 2014, due to pressure of other work and weather conditions: cutting cannot be undertaken until the end of the bird nesting season and needs to be done before heavy rain makes conditions too soft for machinery. In 2014 bramble around quadrats 7-10 was reduced, leaving isolated clumps. In this case regrowth in most of the cut areas will be recut throughout 2015 to prevent regrowth and maintain the grassland areas which were present earlier. The scrub around quadrats 1-6 will be cut in sections over the next several year but then allowed to regrow, to create more habitat diversity and prevent succession to bushes and eventually woodland.

### Creeping thistle

In 2009 creeping thistle (figure 4) was abundant in the grassland around quadrats 58-64. Since then the patches of thistle have been cut annually, normally in July. This has substantially reduced the density of thistle in this area, although the number of quadrats in which it was found did not reduce. This shows how annual cutting reduces thistle density but does not eradicate it, at least not in just a few years. Further discussion of thistle can be found in the section on thistle monitoring.

**Figure 3, Small Tumulus Field  
Thistle density, quadrats 58-64**



### Ragwort

Ragwort is an attractive native plant which is valuable ecologically, being the recorded food plant of 77 species of invertebrate, including the cinnabar moth, and providing nectar for many invertebrates. It is a biennial or short-lived perennial which spreads by seed, requiring disturbed or bare soil to establish, such as droughted areas, mole hills or areas scratched up by dogs. The survival of the seed bank is relatively short: near the soil surface only 1% of seeds are viable after five years, although buried seed can survive for longer.



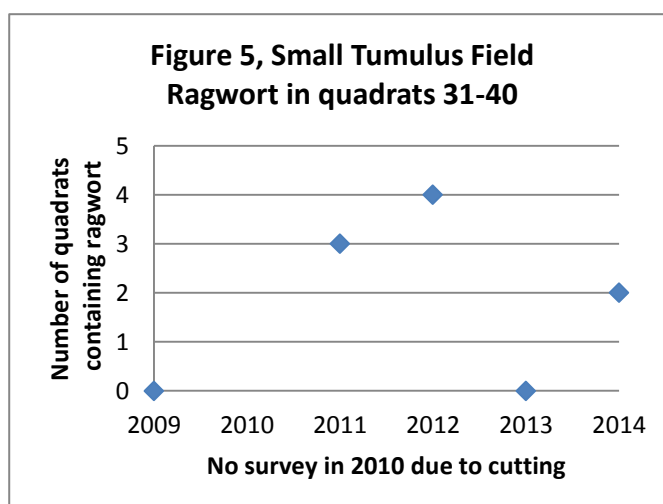
**Fig. 4, Ragwort (yellow) and creeping thistle (mauve)**

Ragwort contains an alkaloid which is poisonous to horses and other stock, and may be harmful to humans through the skin when pulling up the plant, or through the air if it is flailed. Landowners who have failed to follow a code of practice on controlling ragwort may be sued by neighbours if there is a danger of ragwort spreading to their land and causing nuisance, principally through risk to livestock. It is not unlawful for ragwort to be present on land, and as the Heath is not in an agricultural area there appears to be no legal reason requiring it to be controlled. However, it can become too dominant, especially where the sward is thin, for example because of drought. In addition, the grassland on the Heath is cut and baled, and the bales are taken to a recycling centre where they are disposed of for animal bedding. A small amount of ragwort can be tolerated for bedding, but the sward would need to be free of

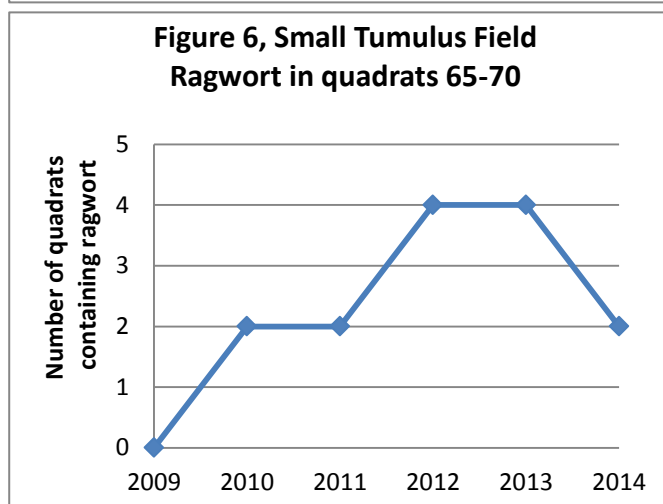
the plant should there ever be a wish to upgrade to disposal for hay or haylage. The less ragwort in the meadows which are cut and baled, therefore, the better, and this is another reason for trying to control it on the meadows.

The quantity of ragwort present in Small Tumulus Field varies from year to year. Historically there has been a good deal in the south-west, quadrats 1-6, but over the past six years it has increased in the grassy areas in the centre and north-east of the meadow, where it was formerly absent.

Figure 5 shows how ragwort has spread into the grassland in the centre of the field, quadrats 31-40. It was not seen in 2009, but was found in three and then four quadrats in 2011 and 2012 respectively. Pulling is a recommended method of non-chemical control, and the ragwort in this area was pulled by corporate volunteers in spring 2013. No ragwort was subsequently found in the quadrats that year, although a few seedlings were seen outside the quadrats. In 2014, two seedlings were found, in two separate quadrats. Unfortunately no pulling took place that year.



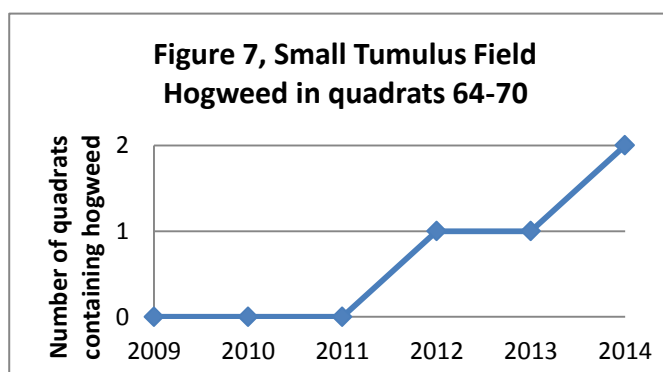
No ragwort has been found so far in quadrats 50-64. However, from 2010 it had spread into the north-east of the field, quadrats 65-70 (figure 6). Ragwort in a small part of the area was pulled in 2013.



In summary, then, in 2009 ragwort was not found in any quadrat in transects 2 and 3, but it has subsequently spread into this area, the main grassland. There is some evidence that pulling may be effective at reducing it, but this needs to be carried out consistently over several years to produce a long-term decline.

### Hogweed

Hogweed is abundant from about quadrats 12 to about 16. This is a relatively new population; no hogweed was recorded here in the London Natural History Society's plant survey of the Heath, 1997- 2003. Since 2013, this area has been cut early in the season and then monthly to try to prevent the plant spreading, and is no longer monitored, but it is evident from regrowth that this treatment is not eradicating the plant. Hogweed was first found in in the north-west of the field in quadrats 64-70 in 2012 (figure 7), and it appears to be spreading here. More discussion of hogweed appears later in this report.





## The Sparrows Site

The 'Sparrows Site', above the Athletics Track at Parliament Hill, was successfully sown with wild flowers in 2010, and is now a wonderful flowery meadow in summer (figure 8). It is managed as a hay meadow and is cut annually.

The vegetation is relatively uniform. Monitoring began in 2011 using 13 quadrats placed throughout the site.

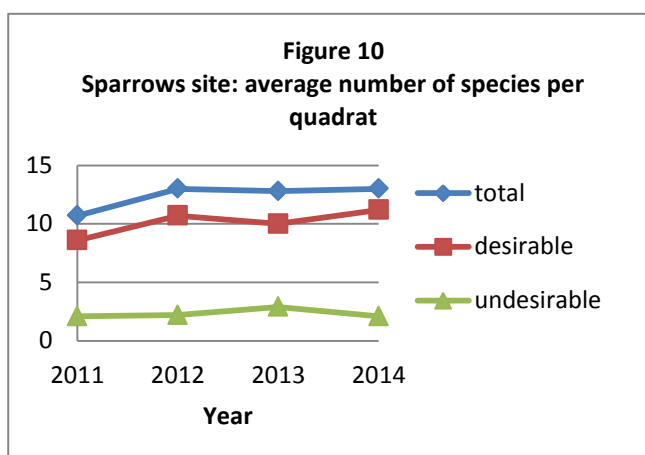
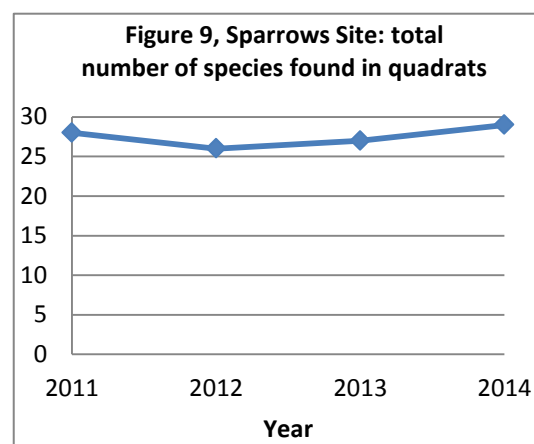


**Figure 8, The Sparrows Site, 2014**

### Species diversity

More than 25 plant species have been found in total in the quadrats in every year. This is a very good number, and the highest of anywhere on the Heath with the possible exception of the Writer wildflower meadow, sown with a seed mix in 2006 and now very thistly. Additional plants would have been picked up if a thorough search of the whole area had been made, but this would have meant trampling through the meadow which, despite being unfenced, remains pleasingly undamaged. There was an initial small (and probably statistically insignificant) drop in 2012 in the total number of plants found in the quadrats (figure 9), but this was followed by a rise, showing that the species diversity of the meadow has been sustained over the first few years.

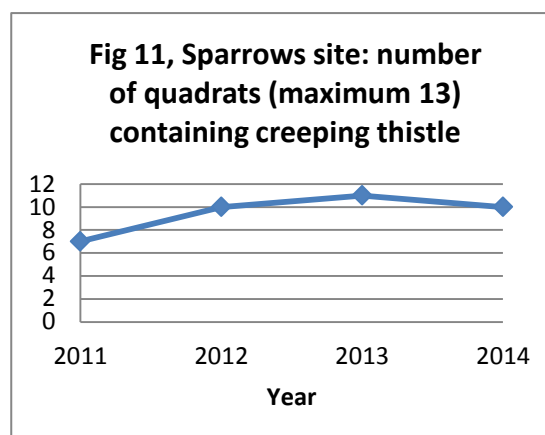
Plants can be divided into 'desirable' and 'undesirable' in the context of a wildflower meadow. Creeping thistle, bramble, dock, and coarse grasses such as Yorkshire fog which can come to dominate a sward, were classed as 'undesirable'. Over the past four years there has been no significant change in the average number of either desirable or undesirable species in the quadrats (figure 10).





### Creeping thistle

Figure 11 shows the number of quadrats containing creeping thistle. This species is a concern, and is dense over some of the nearby ground. The Writer wildflower meadow, sown in 2006, is now largely dominated by it, excluding other plants. Most quadrats in the Sparrows Site now contain thistle (figure 11), though mostly in small amounts. Some pulling was undertaken with volunteers following monitoring in 2014 to try and reduce its prevalence, and it is hoped to continue this.

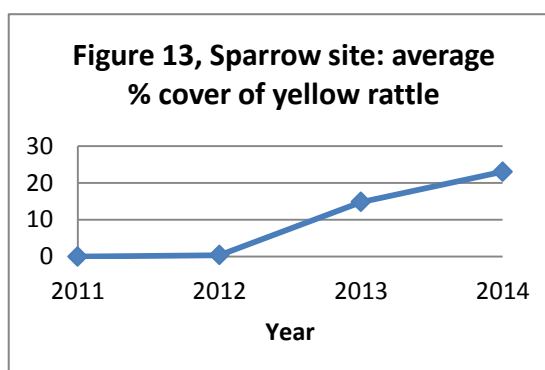
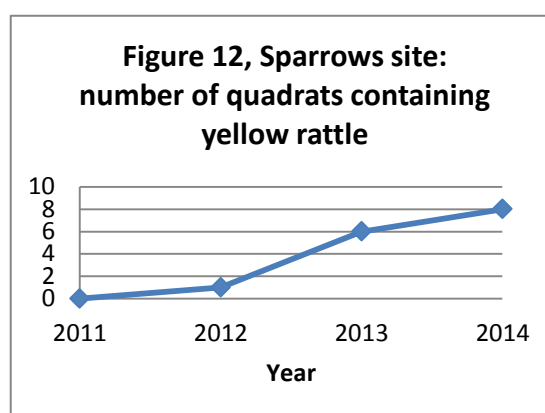


### Yellow rattle

Yellow rattle is an uncommon native plant which is a partial parasite of grasses, and helps to reduce their vigour, a desirable characteristic for a wild flower meadow which is not grazed. It was perhaps never common on the Heath as a whole, as it dislikes acidic soils, but probably once grew on the lower meadows on the London Clay. Today the only yellow rattle on the Heath grows where wild flower seeds have been sown.

Yellow rattle has increased on the Sparrows Site, both in number of quadrats where found (figure 12) and in percent cover (figure 13). As it is an annual, which is unusual for a meadow plant, it is important that the Sparrows Site is not mown before sufficient seeds have set, usually by early July.

It is encouraging to see yellow rattle doing so well here. In 2014 seeds of it were collected by volunteers and scattered over mown grassland elsewhere, to try to spread it.



## Hampstead Heath Extension

A gas pipeline was laid across the northern-most meadow on the Heath Extension in 1992. The land was restored using a wildflower meadow mix, and the sward remains rich in plant species. An experiment was initiated in 2011 to explore the effects on the sward of different mowing regimes. A relatively uniform area was divided into four sections, as shown in figure 14, which have been mown in April; in July; in April and July; or in September. The area was monitored in 2011-2013, but not in 2014.

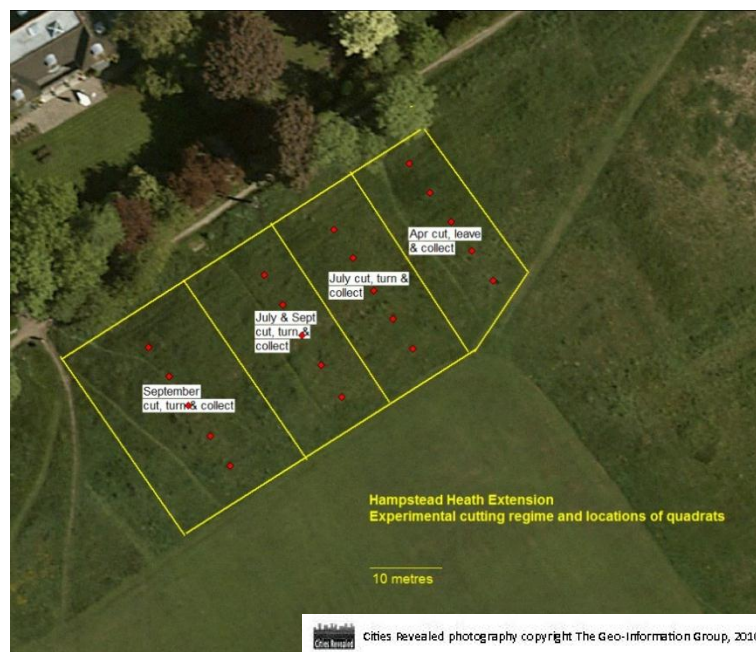


Figure 14: experimental cutting regime

Figure 15, showing total species count, would seem to suggest that the optimal treatment is cutting in July, whereas figure 16, showing average number of species per quadrat, suggests that although July is good, July and September is the optimal treatment. However, the differences are small and the experiment is long-term in nature, and it is too early to reach meaningful conclusions.

Figure 15, HH Extension: total number of species found for each treatment

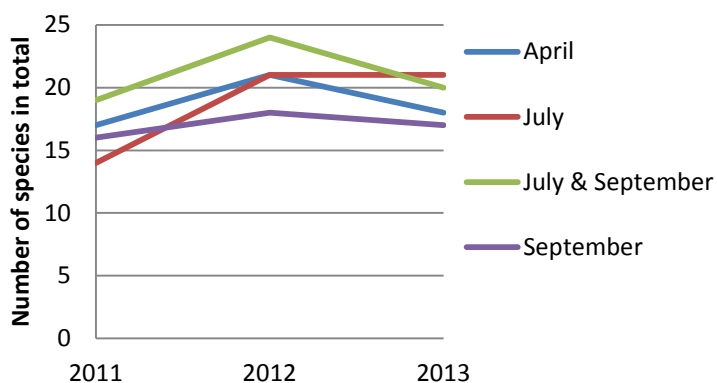
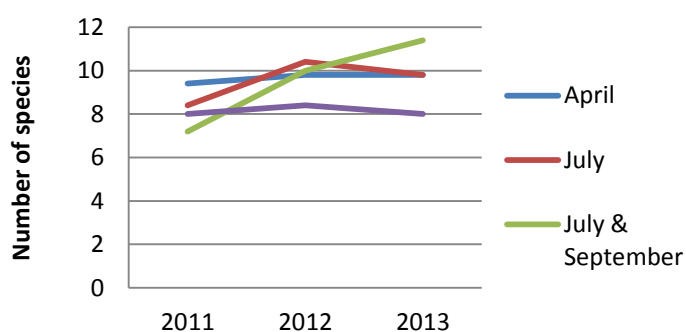


Figure 16, HH Extension: average number of species per quadrat for each treatment



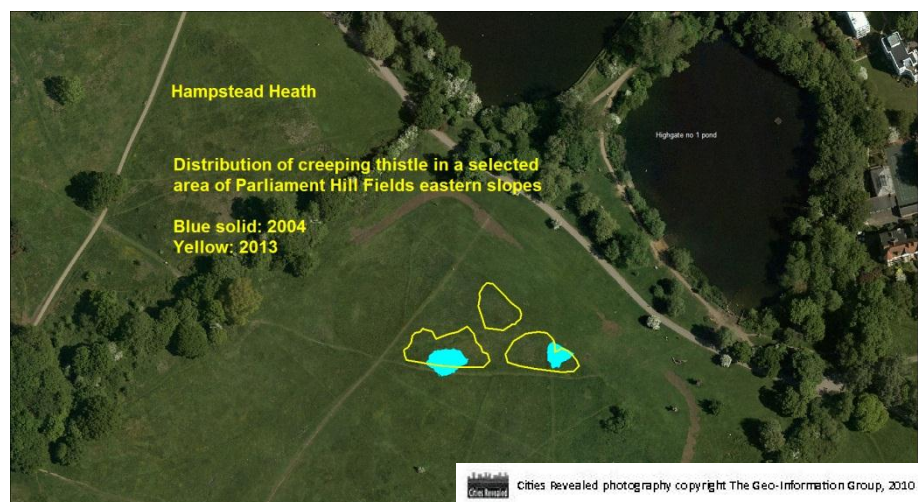
## Creeping thistle

Thistle is an important plant for biodiversity. The flowers are very popular with feeding butterflies, bees and other invertebrates, and finches enjoy the seeds. Thistle in hedgerows, other edge habitats and scrub is entirely appropriate and desirable, but it will outcompete other plants and restrict public access if increasingly extensive areas of grassland become dominated by thistle.

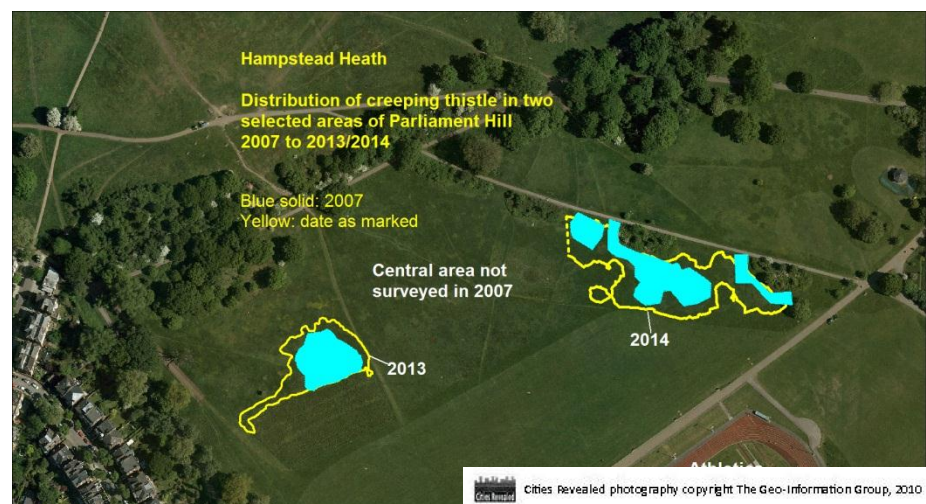
Creeping thistle (figure 17) is increasing on the Heath. New patches are forming and existing patches spreading. Frequent and long-term cutting controls thistle, and there was undoubtedly far less of it on the Heath when the meadows were 'gang mown' – repeatedly close-cut - under GLC management. This ended in the 1980s, and thistle has been spreading ever since and continues to do so. Two examples of recent spread are shown below in figures 18 and 19.



**Figure 17 Creeping thistle**



**Figure 18**



**Figure 19**

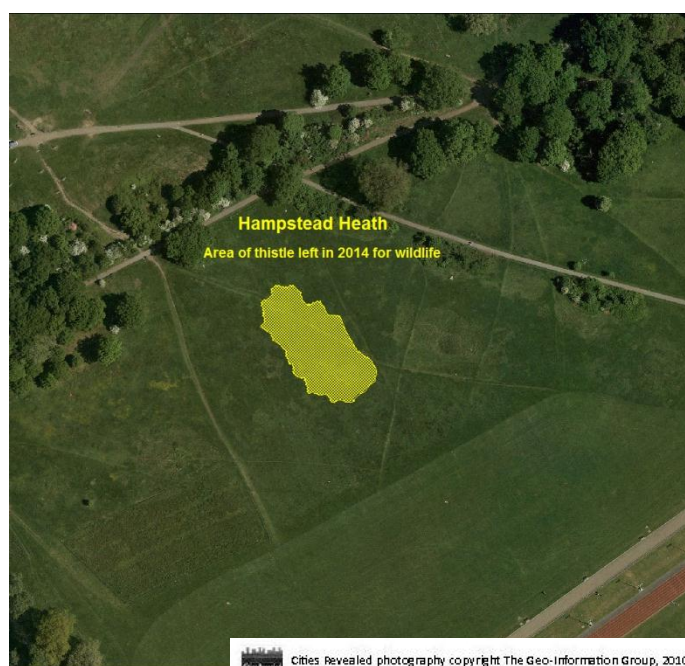


Spread is mainly from existing patches by underground rhizomes. Seedlings do not survive in a dense grassy sward, and require soil disturbance to establish, but unfortunately much of the Heath's grassland does contain bare patches, generated by moles, dogs, drought and illegal barbecues etc., and seedling establishment does occur on the Heath. Luckily seed does not usually spread far from the parent plant. The thistle 'down' that floats through on the wind does not in fact often have viable seed attached to it.

For many years a good deal of the thistle in the open grassland has been cut to try and contain it. Food reserves stored in the roots are least just before flowering, so this is the most effective time to cut. Previous advice was to top thistles and let the stems bleed, and this is what was done annually until recently. Now, following current advice, the stems are cut close to the ground. As found in Tumulus Field, cutting substantially reduces density and vigour (page 4). Pulling is said to be effective, but resources do not allow pulling in many areas.

In 2013 an experiment was initiated on the southern slopes of Parliament Hill to see if more frequent cutting is more effective. Under this regime, much of the thistle is mown monthly. This and the previous annual cutting has greatly reduced the density of thistle in the cut areas. A large patch is left for wildlife. The area left in 2014 was in the centre of the field: see figures 20 and 21.

Thistle is also left for wildlife on the edges of meadows by hedgerows, trees and scrub.



**Figure 20**



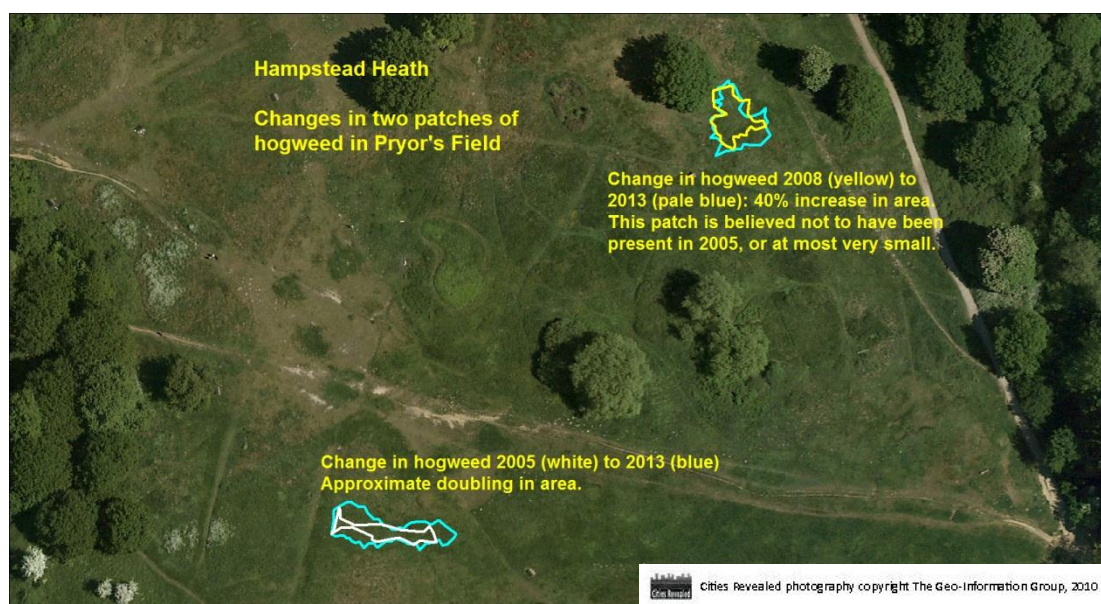
**Figure 21: area with creeping thistle left for wildlife in 2014**

## Hogweed

Like creeping thistle, hogweed (figure 22), a native plant not to be confused with giant hogweed, is valuable for wildlife but is invasive. It is a robust plant which shades out vegetation below it, including grass, and also restricts public access. It is spreading to new locations on the Heath and that existing populations are increasing in size. The spread of existing populations is revealed in the map of Pryor's Field, figure 23: in eight years one patch approximately doubled in size. Another patch remained about the same size between 2011 and 2013, but is thought not to have been present or been at most very small in 2005. Hogweed may be increasing nationwide, perhaps due to climate change.



**Figure 22: (common) hogweed**



**Figure 23**

Hogweed is a perennial with a typical lifespan of 12-16 years, and spreads by seed. There is some evidence that repeated cutting reduces its frequency, although occasional cutting may actually benefit it by reducing the vigour of competitors such as coarse grasses. Flowers open sequentially, but the first flowers to open, at the top of the stem, produce most of the viable seed. Seed set swiftly follows flowering. Seed is not long lived, with few germinating after the first couple of years.

To date, attempted control has been by cutting to the ground at or just before flowering to reduce vigour and seeding. In view of the above, it is important that cutting be undertaken before the first flowers show, and that it is repeated several times in the season.

The best way of controlling hogweed is said to be by cutting and removing the top 7-10cm of the deep tap roots, or 'spudding', which prevents regeneration. Ideally therefore a programme of spudding should be instigated. Unfortunately this would largely be impractical, as many patches are dense, with hundreds or thousands of plants. However it would be useful to spud or dig any isolated small patches.



## Bramble

Bramble has expanded on the Heath, especially since the late 1980s when intensive management of grassland ceased. Bramble has also increased greatly nationwide, partly due to less intensive management of hedgerows and rough ground.

Bramble is of very great importance for biodiversity, and is a natural constituent of woods and hedgerows. It is vital to retain bramble in woodland and, especially, alongside hedges and woodland boundaries, Bramble can grow in denser shade than almost all other common native understorey plants except ivy: there is no point in removing bramble in woodland except where access is required, as removal will usually only result in bare ground or a carpet of ivy or non-native small balsam. There are several established patches of bramble in grassland on the Heath which are particularly important for birds, but bramble should not be allowed to expand further into open land.

The common species of bramble, *Rubus fruticosus* agg., actually consists of many micro-species, which are difficult to identify. It can grow quickly, but where appropriate can be controlled in a few years by cutting several times a year. Cutting can be done by machinery except on steep slopes or where anthills are present. In this case control will take longer, as laborious hand cutting is necessary, usually undertaken by Heath Hands volunteers.

A Heath-wide programme of bramble control using a tractor-mounted flail was begun in 2013, supplementing the work done by Heath Hands where machine access is impossible. Cutting is only aimed at controlling recent expansion of bramble where it is inappropriate, not eradicating bramble. Initial cutting takes place out of the bird-nesting season, and is followed up by cutting low regrowth in spring and summer. Full implementation of the programme was impossible in autumn 2013 as unusually wet ground prevented machine access, but the full programme of planned work was carried out in autumn 2014, and the areas cut will be recut in 2015.

Several patches of bramble in Pryors Field have been monitored over a number of years. Bramble is particularly important in Pryors Field for nesting whitethroat and it is vital to maintain significant areas, but these should not be allowed to increase. Figure 24 shows that the extent of clumps monitored in

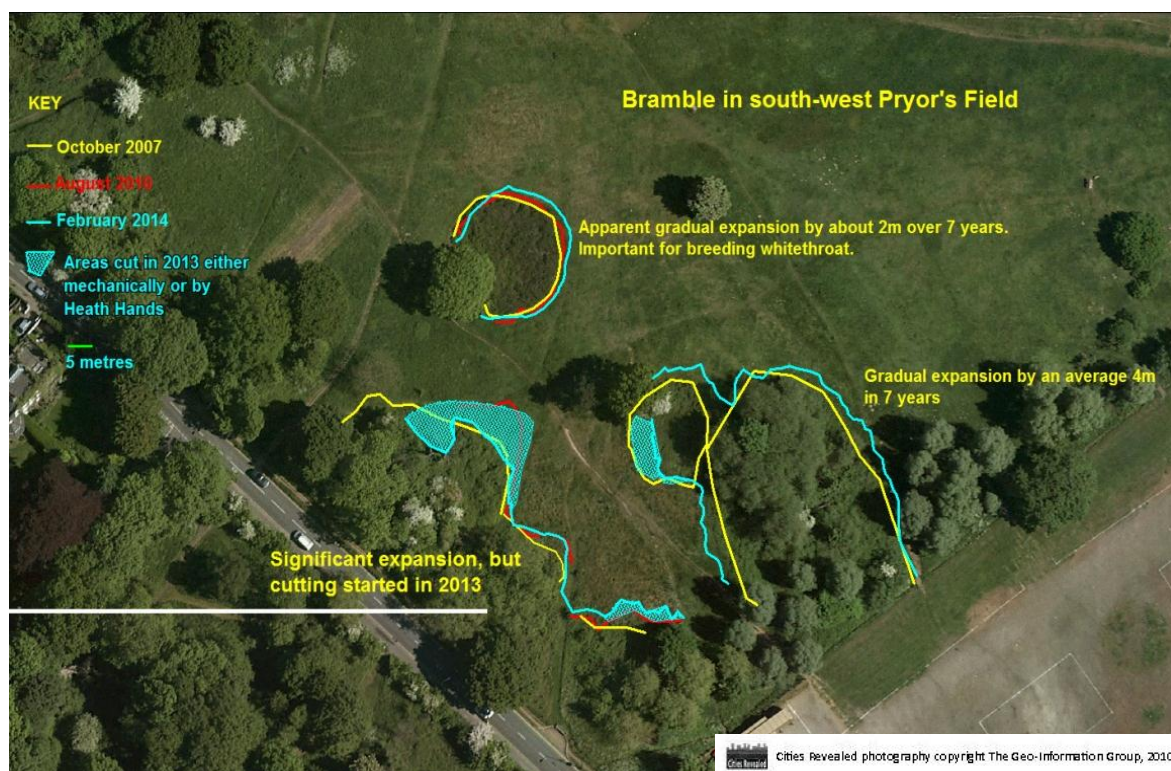
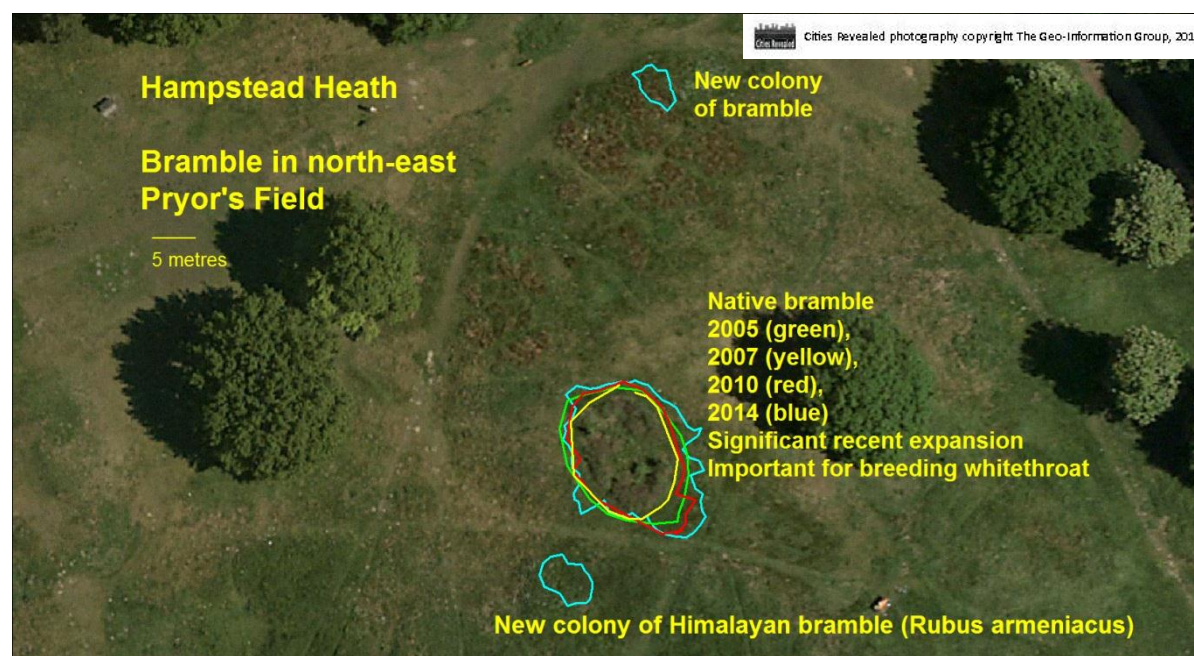


Figure 24



the south-west of the Field increased between 2007 and 2014. Bramble was also monitored in the north-east of the field, as shown in figure 25. The long-standing patch shown in the centre of the figure, where whitethroat has habitually bred, shows some recent expansion, although bramble in its centre is now becoming more sparse. Cutting mechanically and using volunteers was undertaken in 2013 and more extensively in 2014 to reduce recent increases.



**Figure 25**

Two new colonies have also appeared in these areas of Pryor's Field. One is of a different species of bramble, Himalayan bramble, *Rubus armeniacus*, or perhaps a hybrid of this and *Rubus fruticosus* (figure 26). This alien species, native to eastern Europe, is a robust, vigorous plant with long, stout arching biennial stems, and leaves with white undersides. It originated from bramble planted commercially and in gardens for its fine large blackberries, and is still available to purchase as Himalayan Giant. Himalayan bramble is spreading in Britain and elsewhere, from Canada and the United States to Australia, but is not (yet) common on the Heath.

Himalayan bramble is reported to be difficult to control. Isolated plants may be dug up, although it is hard to get rid of the whole root system in one go. Frequent cutting over a number of years can also be used, but websites tend to make statements such as 'management and control of the Himalayan blackberry involves consistent effort for many subsequent years in order to exhaust root reserves' (British Columbia). It can establish by seed and from pieces of stem and root. A large patch of Himalayan bramble has also established in the north-east of Tumulus Field (figure 26); it was two metres tall when it was cut to the ground in autumn 2014. The patch in Pryor's Field has also been cut.

Efforts will continue to control the Himalayan bramble, but it may pose serious problems on the Heath in the long term. Other very robust brambles with pale green undersides to the



**Figure 26: Himalayan bramble in Tumulus Field, April 2014**

leaves are also present, and fairly common, on the Heath. These may be relatives of Himalayan bramble or just be native sub-species. Brambles are notoriously difficult to identify and it is not yet known if any of these are potentially troublesome.

## Soft rush

The native plants hard rush and soft rush both grow on the Heath, although only soft rush is relatively common. Both rushes provide useful habitat, especially to spiders (notably the wasp spider), which use the spiky cylindrical leaves to support their webs. However, soft and hard rushes can exclude other plants, especially on damp ground, and are classified as serious agricultural weeds. On Stock Pond Meadow soft rush dominates about 16% of the area (figure 27), potentially threatening acid grassland containing heath bedstraw and oval sedge.

The origin of soft rush in this meadow arises from ground disturbance, which presumably allowed buried seed to germinate. Some of the meadow was ploughed in about 1986 and wild flower seed sown, and part of the population may date from this time. The central areas follow the route of a gas pipeline laid some years ago.

Figure 27 displays the results of surveys in 2010 and 2014. Bearing in mind that outliers are hard to spot and to record accurately, it appears that there has been little change during this period, except that the eastern patch may have reduced slightly in size. This conclusion is reinforced by air photos from 1997 and 2002, which show dark patches, probably of rush, covering similar areas. The rush is cut in autumn when ground conditions allow, and should continue to be cut and monitored here, but the risk of it causing a problem seems to be low.

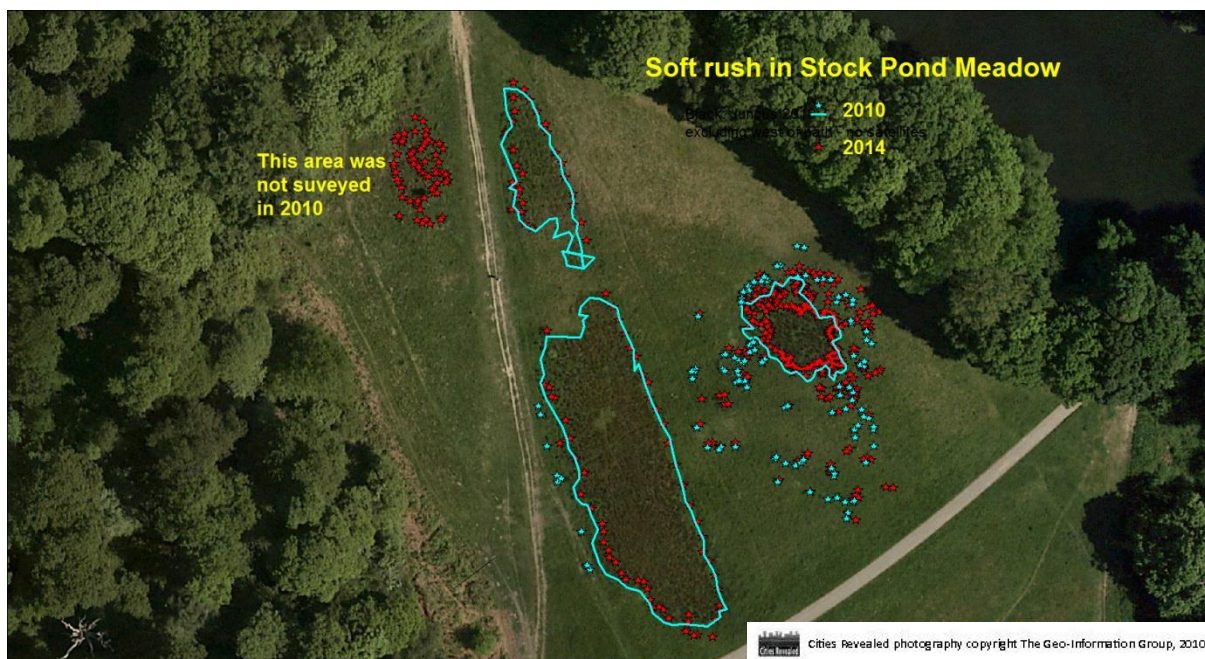


Figure 27



## Bracken

Dense bracken is useful for biodiversity in that it helps reduce disturbance, especially from dogs, but by the same token it also impedes public access. It is not intrinsically particularly valuable for wildlife, although it does support a small number of invertebrates.

A band of bracken and bramble grows along the edge of Stock Pond Meadow adjacent to Kenwood, as shown in figure 28. The underlying air photo was taken in 2009 or 2010, and it shows that the width increased over the following two or three years. It is undesirable for it to expand far into the grassland, for the reasons stated above. Recent management of cutting it back has reduced the width, and the intention is to keep it to approximately its 2013 extent.

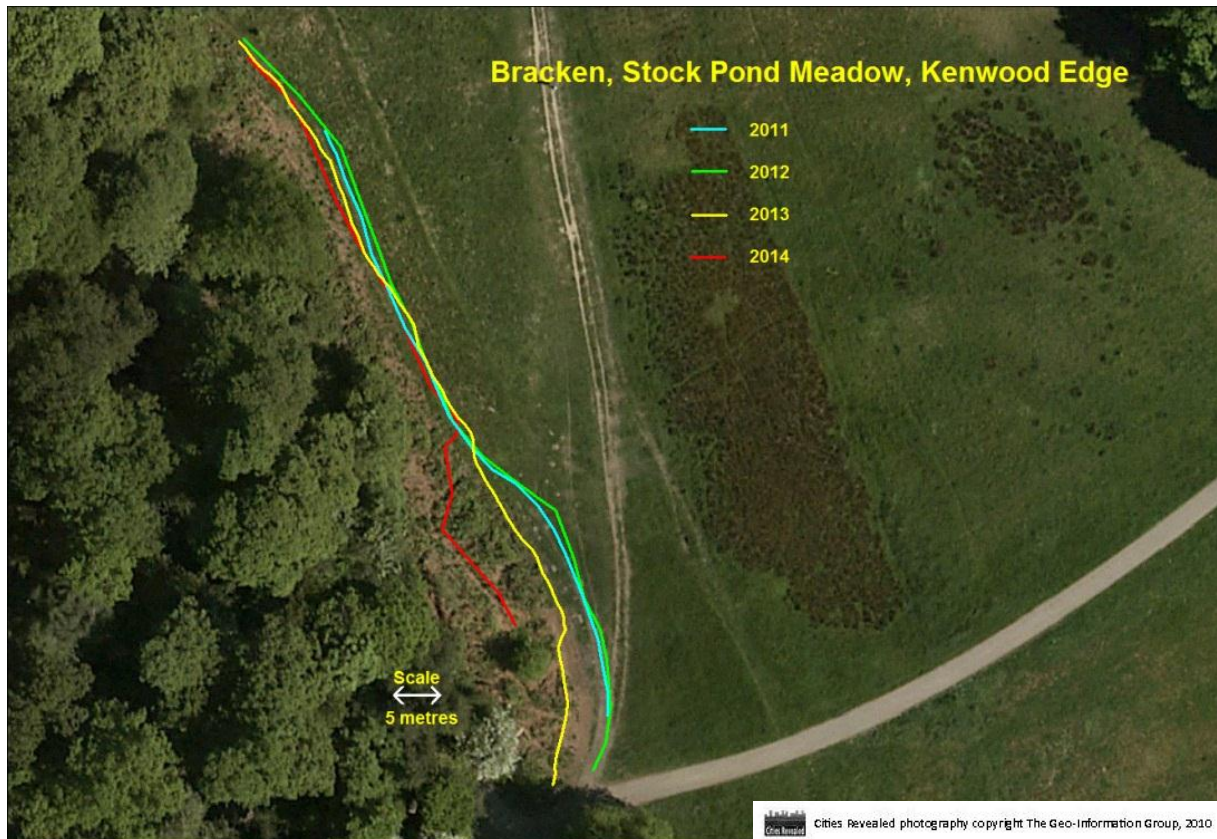


Figure 28

## Tormentil

Tormentil (*Potentilla erecta*) is a characteristic plant of acid grassland. At the start of the 20<sup>th</sup> century it was common on West Heath and probably elsewhere on suitable soils, but the only extensive population left on the Heath is at the so-called 'Tormentil Slopes', a steep grassy incline on the south side of the Fleet Stream not far downstream of the Vale of Health pond, whose location is shown in figure 1.



Figure 29: Tormentil

Recent management has sought to preserve and extend the colony. In 2011 scrub and trees were felled on the north-west side to extend the open area; further but more minor clearance was undertaken in 2012; and bramble cutting was continued in 2013. A dense patch of bramble and rose-bay willowherb on the east side of the area was cut down in autumn 2014 and will be recut in 2015 with the aim of eradicating it.

Monitoring the population provided some difficulties. Unlike, say, bramble, the colony has diffuse edges. It is also small-scale, and major changes were not expected, so accuracy was required. Obtaining sufficient accuracy was compounded by the location, towards the bottom of a valley, limiting the number of satellites visible to the GPS equipment and so decreasing accuracy. Results therefore have to be treated with caution.

Figure 30 shows the results of monitoring in 2010, 2012 and 2013. It appears that the plant has spread towards the west, where trees and bramble were cut back, indicating the success of this management. In August 2012 shears were used to cut the tops off tormentil plants bearing ripe seed, and this was spread on newly exposed soil in this area. This may have been the origin of some of the expansion of the population, or it may have arisen from buried seeds or existing plants hidden among the bramble. However, there has been a loss of plants in the south-east. This is being addressed by clearing the patch of bramble and rosebay willowherb which has colonised this area. There is also an indication of a loss in the north-east, where there is a fringe of bramble beneath overhanging trees. It is planned to cut back the bramble and remove lower branches from trees here in 2015. This should also help protect a small population of lesser spearwort, another plant uncommon on the Heath.

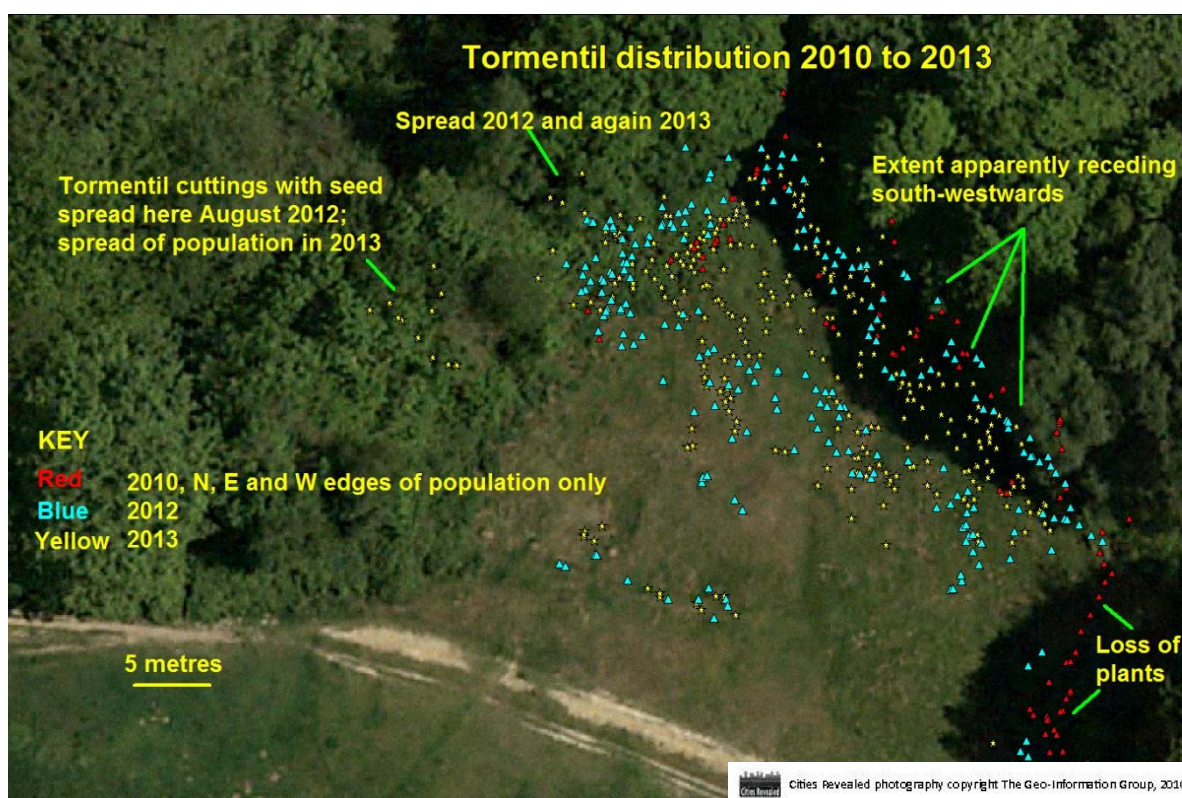


Figure 30



## **Conclusions**

Plant populations are not static, and the programme of monitoring has provided valuable information on changes in the vegetation of Hampstead Heath. The results show positive changes in some cases, but indicate potential or actual problems in others.

On the positive side, it was found that the Sparrows Site meadow has retained its rich plant diversity over the five years since it was sown. Yellow rattle, an uncommon plant which suppresses grasses, is increasing on the site, to such an extent that seeds were taken from it and scattered elsewhere to try to spread it further. Management undertaken on the 'Tormentil Slopes' to try to increase the population of tormentil have apparently been successful, and action is planned to restore and expand further the extent of this species.

On the negative side, the conclusions from monitoring potentially invasive native species are more mixed. These plants are valuable for biodiversity but should not be allowed to dominate large areas of grassland. The extent of soft rush seems to be stable under existing management, and it is believed that unwanted expansions of bramble and bracken in grassland are being controlled. However, measures aimed at controlling creeping thistle, hogweed and ragwort have not been entirely successful: management has curtailed their spread but mechanical methods cannot eradicate unwanted populations unless grassland is mown frequently, which is not the ethos of Heath management. Volunteers have very usefully supplemented cutting by machine, but sufficient labour is not available to undertake manual control over much of the Heath. In the longer term it is possible that limited and targeted use of herbicides may be required.

It is important that both the programmes of vegetation management and monitoring are continued in order to retain the biodiversity of the Heath.



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<b>Committee(s):</b>	<b>Date(s):</b>
Hampstead Heath Consultative Committee	09 March 2015
<b>Subject:</b> Provisional Additional Works programme 2016/17	<b>Public</b>
<b>Report of:</b> The City Surveyor CS: 047/15	<b>For Information</b>
<p style="text-align: center;"><b>Summary</b></p> <p>This report sets out a provisional list of cyclical projects being considered for Hampstead Heath, Highgate Wood and Queen's Park in 2016/17 under the umbrella of the "additional works programme".</p> <p>The draft cyclical project list for 2016/17 totals approximately £1.4m and if approved, will continue the programme in the maintenance of the property and infrastructure assets.</p> <p><b>Recommendation</b></p> <p>That the Committee's views be sought on the provisional list of works for Hampstead Heath on the draft 2016/17 programme.</p>	

## Main Report

### Background

1. At the meeting of Resource Allocation sub Committee in January 2015 Members considered and approved a prioritised list of "additional works" projects for 2015/16.
2. The total value of the overall Additional Works Programme will be £5.64m. Of this allocation Hampstead Heath, Highgate Wood and Queen's Park received £1.26m to allow all the projects on the prioritised list to proceed in 2015/16.
3. This approved package of works continues a programme of works that has seen the additional investment of just under £6m at the three locations over the last five years.

### Current Position

4. I am in the process of finalising my review of our forward maintenance plans (20 year) which will form the basis of the next round of additional works bids for 2016/17.

5. The review is expected to be completed in the next two months. In the interim and to allow you to have a preview I attach at Annexe A the provisional list of projects for Hampstead Heath, Highgate Wood and Queen's Park under consideration for 2016/17.
6. The information for the bid has been taken from the 20 years for each property within the Estate; the 20 year plans are regularly updated with the Superintendents to ensure they are as accurate as possible.
7. It should be noted that the provisional list for 2016/17 is subject to a final review prior to presentation to the Corporate Asset sub-Committee in July 2015 and consideration and approval of the final list by the Resource Allocation Sub-Committee at the end of 2015.
8. At this stage in the cycle the list has not been prioritised. The prioritisation process is only possible when all the provisional lists from across the Operational estate have been compiled.
9. The process for prioritisation is as follows; work items are initially assessed on the basis of condition, which places the work item into the appropriate year. Thereafter the following factors are considered: Property status (e.g. English Heritage listing) potential reputational impact, health and safety, relevancy of works compared to other items at the same location and client consultation feedback.

### **Corporate & Strategic Implications**

10. This provisional list for Hampstead Heath, Highgate Wood and Queen's Park identifies a number of works that could be progressed within a reasonable timescale subject to funding being made available from the additional works programme, and providing that proposed expenditure is not affected by other decisions taken in respect of any particular property asset.
11. The method of prioritisation for the 'additional works' has been provided but the resultant priorities may need to be reviewed following the consultation period, to reflect strategic asset management decisions and the wider corporate objectives to ensure that the City can meet its overall criteria relative to the management of its property assets.
12. Of particular note due to the higher level of expenditure are the following items in the provisional additional works programme 2016-2017:
  - Pergola, West Heath (£100,000) – Repair works are required to this Grade II listed structure which was completed in 1925. This continues a programme of consolidation repairs and this proposed phase seeks to address the deteriorating condition of the oak framework and prevent further weather damage.
  - A provision of £50,000 is being proposed to undertake a programme of paving and path resurfacing.

- A further £100,000 is proposed for the resurfacing of Tennis Courts 1 – 4 at Parliament Hill Fields plus £250,000 for the resurfacing of the Athletics track
13. The proposals contained within the attached annexe lists support the theme “Protects, promotes and enhances our environment” within the City Together Strategy.

### **Implications**

14. As indicated above, these provisional schedules are based on a preliminary review of the forward repairs and maintenance plans and are subject to further evaluation in terms of value to Hampstead Heath, Highgate Wood and Queen’s Park and with regard to overall corporate priorities, including availability of resources, sound asset management and accommodation provisions/arrangements. It will be appreciated that the indicative sums are significant and no commitment to their funding can be implied or guaranteed at this stage.

### **Conclusion**

15. The attached provisional lists of work for 2016/17 represents a budget increase over 2015/16 and presents another opportunity to maintain the impetus of cyclical repairs and maintenance of the City’s Operational estate and Hampstead Heath, Highgate Wood and Queen’s Park in particular.

### **Appendices**

- Appendix A – draft 2016/17 works programme

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	Committee	Property	Location	Description	2016 / 17
	Hampstead Heath, Highgate Wood and Queens Park	Highgate Wood (Area 10)	General	CORPORATE SIGNS/DECORATION OVERHAUL	500
	Hampstead Heath, Highgate Wood and Queens Park	Highgate Wood (Area 10)	General	FENCING REPLACEMENT/DECORATION	5,000
	Hampstead Heath, Highgate Wood and Queens Park	Highgate Wood	Sewage Pumping Station	PUMP/TANK REPLACEMENT	20,000
	Hampstead Heath, Highgate Wood and Queens Park	Highgate Wood	Toilet Block	INTERNAL DECORATIONS	3,000
	Hampstead Heath, Highgate Wood and Queens Park	Highgate Wood	Toilet Block	SEWAGE PUMP/TANK REPLACEMENT	12,000
	Hampstead Heath, Highgate Wood and Queens Park	Highgate Wood	Toilet Block	TOILET REFURBISHMENT	8,000
	Hampstead Heath, Highgate Wood and Queens Park	Highgate Wood	Toilet Block	LUMINAIRES REPLACEMENT	400
	Hampstead Heath, Highgate Wood and Queens Park	Highgate Wood	The Lodge	RADIATORS REPLACEMENT	6,000
	Hampstead Heath, Highgate Wood and Queens Park	Highgate Wood	1 Coronation Cottage	BATHROOM REFURISHMENT	5,000
	Hampstead Heath, Highgate Wood and Queens Park	Highgate Wood	1 Coronation Cottage	KITCHEN REFURBISHMENT	8,000
	Hampstead Heath, Highgate Wood and Queens Park	Highgate Wood	2 Coronation Cottage	BATHROOM REFURBISHMENT	5,000

	<b>Committee</b>	<b>Property</b>	<b>Location</b>	<b>Description</b>	<b>2016 / 17</b>
	<b>Committee</b>	<b>Property</b>	<b>Location</b>	<b>Description</b>	<b>2016 / 17</b>
	Hampstead Heath, Highgate Wood and Queens Park	Queens Park (Area 11)	General	FENCING DECORATION	1,000
	Hampstead Heath, Highgate Wood and Queens Park	Queens Park (Area 11)	General	TENNIS COURTS - RECOAT & OVERHAUL TO 4	10,000
	Hampstead Heath, Highgate Wood and Queens Park	Queens Park (Area 11)	General	TENNIS COURTS - RECOAT & OVERHAUL TO 6	16,000
	Hampstead Heath, Highgate Wood and Queens Park	Queens Park	Cafeteria & Park Office	DISABLED TOILETS REFURBISHMENT (2 No.) (PUBLIC TOILETS)	4,000
	Hampstead Heath, Highgate Wood and Queens Park	Queens Park	Cafeteria & Park Office	CCTV REPLACEMENT (PARK OFFICE)	10,000
	Hampstead Heath, Highgate Wood and Queens Park	Queens Park	Cafeteria & Park Office	SECURITY ALARM REPLACEMENT (PARK OFFICE)	4,000
	Hampstead Heath, Highgate Wood and Queens Park	Queens Park	Cafeteria & Park Office	RADIATORS REPLACEMENT	3,000
	Hampstead Heath, Highgate Wood and Queens Park	Queens Park	Mess Room and Stores	YARD RESURFACING	15,000
	Hampstead Heath, Highgate Wood and Queens Park	Queens Park	Mess Room and Stores	DOOR ENTRY REPLACEMENT	3,000
	Hampstead Heath, Highgate Wood and Queens Park	Queens Park	Mess Room and Stores	ELECTRIC GATES REPLACEMENT	7,000
	Hampstead Heath, Highgate Wood and Queens Park	Queens Park	Bandstand, Queens Park	DECORATIONS	6,000

	Committee	Property	Location	Description	2016 / 17
	Committee	Property	Location	Description	2016 / 17
	Hampstead Heath, Highgate Wood and Queen's Park	Hampstead Heath	General/Infrastructure	FOOTPATH OVERHAUL (PELLINGS)	25,000
	Hampstead Heath, Highgate Wood and Queen's Park	Hampstead Heath	General/Infrastructure	MAIN WATER SUPPLY PIPEWORK REPLACEMENT	12,000
	Hampstead Heath, Highgate Wood and Queen's Park	Hampstead Heath	General/Infrastructure	SURVEY/OVERHAUL OF BANDSTANDS/SHELTERS	30,000
	Hampstead Heath, Highgate Wood and Queen's Park	Hampstead Heath	General/Infrastructure	STATUE OVERHAUL/CLEANING	4,600
	Hampstead Heath, Highgate Wood and Queen's Park	Hampstead Heath	Heathfield House Complex	INTERNAL DECORATIONS	5,000
	Hampstead Heath, Highgate Wood and Queen's Park	Hampstead Heath	Heathfield House Complex	FIRE ALARM REPLACEMENT	18,000
	Hampstead Heath, Highgate Wood and Queen's Park	Hampstead Heath	434 A-D Archway Road	FLOORING REPLACEMENT (COMMON PARTS)	10,000
	Hampstead Heath, Highgate Wood and Queen's Park	Hampstead Heath	434 A-D Archway Road	KITCHEN REFURBISHMENT (4 No. FLATS)	24,000
	Hampstead Heath, Highgate Wood and Queen's Park	Hampstead Heath	436 A-D Archway Road	FLOORING REPLACEMENT (COMMON PARTS)	10,000
	Hampstead Heath, Highgate Wood and Queen's Park	Hampstead Heath	436 A-D Archway Road	KITCHEN REFURBISHMENT (4 No. FLATS)	24,000
	Hampstead Heath, Highgate Wood and Queen's Park	Parliament Hill Fields (Area 1)	General	FENCING OVERHAUL/DECORATIONS	15,000
	Hampstead Heath, Highgate Wood and Queen's Park	Parliament Hill Fields (Area 1)	General	PATH RESURFACING	50,000

	Committee	Property	Location	Description	2016 / 17
	Hampstead Heath, Highgate Wood and Queen's Park	Parliament Hill Fields	Staff Yard Building Complex	KITCHEN REFURBISHMENT (STAFF BOTHY)	8,000
	Hampstead Heath, Highgate Wood and Queen's Park	Parliament Hill Fields	Staff Yard Building Complex	SHOWER REFURBISHMENT (STAFF BOTHY & OFFICES)	5,000
	Hampstead Heath, Highgate Wood and Queen's Park	Parliament Hill Fields	Staff Yard Building Complex	WINDOWS/DOOR PANEL SHUTTERS REPLACEMENT (OFFICE)	3,000
	Hampstead Heath, Highgate Wood and Queen's Park	Parliament Hill Fields	The Lodge	WINDOWS REPLACEMENT	10,000
	Hampstead Heath, Highgate Wood and Queen's Park	Parliament Hill Fields	Meadow Lodge	BATHROOM REFURBISHMENT	8,500
	Hampstead Heath, Highgate Wood and Queen's Park	Parliament Hill Fields	Tennis Courts and 3 Shelters	TENNIS COURTS 1-4 - FLOOR SURFACE REPAINT	5,000
	Hampstead Heath, Highgate Wood and Queen's Park	Parliament Hill Fields	Tennis Courts and 3 Shelters	TENNIS COURTS 1-4 - RESURFACING	100,000
	Hampstead Heath, Highgate Wood and Queen's Park	Parliament Hill Fields	Cafeteria	PAVING RESURFACING	5,000
	Hampstead Heath, Highgate Wood and Queen's Park	Parliament Hill Fields	Cafeteria	SECURITY ALARM REPLACEMENT	2,000
	Hampstead Heath, Highgate Wood and Queen's Park	Parliament Hill Fields	Lido Buildings Complex	BRICKWORK REPOINTING (FEMALE STAFF TOILETS)	4,000
	Hampstead Heath, Highgate Wood and Queen's Park	Parliament Hill Fields	Lido Buildings Complex	DECORATIONS (LIDO)	14,000
	Hampstead Heath, Highgate Wood and Queen's Park	Parliament Hill Fields	Lido Buildings Complex	HEATING DISTRIBUTION REPLACEMENT	6,000
	Hampstead Heath, Highgate Wood and Queen's Park	Parliament Hill Fields	Lido Buildings Complex	POOL WATER SYSTEM REPLACEMENT	8,000

	Committee	Property	Location	Description	2016 / 17
	Hampstead Heath, Highgate Wood and Queen's Park	Parliament Hill Fields	One O'Clock Club Building	INTERNAL DECORATIONS	5,000
	Hampstead Heath, Highgate Wood and Queen's Park	Parliament Hill Fields	Adventure Playground Building	PADDLING POOL PAINT	50,000
	Hampstead Heath, Highgate Wood and Queen's Park	Parliament Hill Fields	Athletic's Track Pavillion Complex	ATHLETICS TRACK - SURFACING TO TRACK REPLACEMENT	250,000
	Hampstead Heath, Highgate Wood and Queen's Park	Parliament Hill Fields	Athletic's Track Pavillion Complex	STORES EXTERNAL DECORATIONS	800
	Hampstead Heath, Highgate Wood and Queen's Park	Parliament Hill Fields	Athletic's Track Pavillion Complex	RUNNING TRACK COLUMNS RELAMP	12,000
	Hampstead Heath, Highgate Wood and Queen's Park	Parliament Hill Fields	Playground Staff Toilet and Shelter	EXTERNAL DECORATIONS	1,000
	Hampstead Heath, Highgate Wood and Queen's Park	Parliament Hill Fields	Playground Staff Toilet and Shelter	INTERNAL DECORATIONS	1,000
	Hampstead Heath, Highgate Wood and Queen's Park	Parliament Hill Fields	Playground Staff Toilet and Shelter	KITCHEN REFURBISHMENT	2,000
	Hampstead Heath, Highgate Wood and Queen's Park	Highgate Ponds (Area 2)	General	FENCING OVERHAUL/DECORATIONS	22,000
	Hampstead Heath, Highgate Wood and Queen's Park	Kenwood	Bothy Building	KITCHEN REFURBISHMENT	8,000
	Hampstead Heath, Highgate Wood and Queen's Park	Kenwood	Bothy Building	ROOF LEAD WORK	2,000
	Hampstead Heath, Highgate Wood and Queen's Park	Kenwood	Bothy Building	ROOF REPLACEMENT	25,000



	Committee	Property	Location	Description	2016 / 17
	Hampstead Heath, Highgate Wood and Queen's Park	Kenwood	Bothy Building	SHOWER REFURBISHMENT	3,000
	Hampstead Heath, Highgate Wood and Queen's Park	Kenwood	Bothy Building	TOILET REFURBISHMENT	3,000
	Hampstead Heath, Highgate Wood and Queen's Park	Kenwood	Bothy Building	SECURITY ALARM REPLACEMENT	2,000
	Hampstead Heath, Highgate Wood and Queen's Park	Kenwood	Constabulary Building	INTERNAL DECORATIONS	2,000
	Hampstead Heath, Highgate Wood and Queen's Park	Kenwood	Open Shed and Garage Block	ROOF REPLACEMENT (CORRUGATED STEEL SHEET)	10,000
	Hampstead Heath, Highgate Wood and Queen's Park	Kenwood	South Wood Shelter	EXTERNAL DECORATIONS	500
	Hampstead Heath, Highgate Wood and Queen's Park	Vale of Heath and East Heath	Public Toilets	INTERNAL DECORATIONS	5,000
	Hampstead Heath, Highgate Wood and Queen's Park	West Heath	Pergola Shelter and Store	PERGOLA - MAJOR REPAIRS (REPLACE OAK OF SECTION 2)	100,000
	Hampstead Heath, Highgate Wood and Queen's Park	West Heath	Pergola Shelter and Store	PERGOLA - SURVEY OF SECTION 2 STONEMWORK	20,000
	Hampstead Heath, Highgate Wood and Queen's Park	West Heath	Pergola Shelter and Store	PERGOLA - REPARATIVE WORK ON CRACKS IN JOINTS	4,000
	Hampstead Heath, Highgate Wood and Queen's Park	West Heath	Pergola Shelter and Store	PERGOLA - REPARATIVE WORK ON CRACKS IN STONES	4,000
	Hampstead Heath, Highgate Wood and Queen's Park	West Heath	Bothy (was known as Keeper's Hut) and Hill Garden Area	EXTERNAL DECORATIONS	750

	Committee	Property	Location	Description	2016 / 17
	Hampstead Heath, Highgate Wood and Queen's Park	West Heath	Bothy (was known as Keeper's Hut) and Hill Garden Area	KITCHEN REFURBISHMENT	3,000
	Hampstead Heath, Highgate Wood and Queen's Park	Golders Hill Park Area 8	General	SURFACE WATER DRAIN REPLACEMENT AND REMEDIAL WORK	50,000
	Hampstead Heath, Highgate Wood and Queen's Park	Golders Hill Park Area 8	General	WATER MAINS REPLACEMENT	10,000
	Hampstead Heath, Highgate Wood and Queen's Park	Golders Hill Park Area	Staff Yard Complex	INTAKE SWITCHGEAR (STAFF OFFICE)	5,000
	Hampstead Heath, Highgate Wood and Queen's Park	Golders Hill Park Area	Staff Yard Complex	FIRE ALARM REPLACEMENT (STAFF OFFICE)	7,000
	Hampstead Heath, Highgate Wood and Queen's Park	Golders Hill Park Area	Staff Yard Complex	SECURITY ALARM REPLACEMENT (STAFF BOTHY)	2,000
	Hampstead Heath, Highgate Wood and Queen's Park	Golders Hill Park Area	Staff Yard Complex	LIGHTING (INCL EMERGENCY LIGHTING) REPLACEMENT (STAFF BOTHY)	7,000
	Hampstead Heath, Highgate Wood and Queen's Park	Golders Hill Park Area	Staff Yard Complex	LIGHTING (INCL EMERGENCY LIGHTING) REPLACEMENT (GREENHOUSE)	2,000
	Hampstead Heath, Highgate Wood and Queen's Park	Golders Hill Park Area	Staff Yard Complex	EXTERNAL LIGHTING REPLACEMENT	4,000
	Hampstead Heath, Highgate Wood and Queen's Park	Golders Hill Park Area	Staff Yard Complex	LIGHTING (INCL EMERGENCY LIGHTING) REPLACEMENT (STAFF OFFICE)	5,000
	Hampstead Heath, Highgate Wood and Queen's Park	Golders Hill Park Area	Staff Yard Complex	SECURITY ALARM REPLACEMENT (STAFF OFFICE)	2,000
	Hampstead Heath, Highgate Wood and Queen's Park	Golders Hill Park Area	Staff Yard Complex	BOILERS REPLACEMENT ((4 No.) HEATING & HOT WATER)	24,000

	Committee	Property	Location	Description	2016 / 17
	Hampstead Heath, Highgate Wood and Queen's Park	Golders Hill Park Area	Staff Yard Complex	HEATING COILS REPLACEMENT (GREENHOUSE)	24,000
	Hampstead Heath, Highgate Wood and Queen's Park	Golders Hill Park Area	Staff Yard Complex	HEATING CONTROLS & VALVES REPLACEMENT (GREENHOUSE)	6,000
	Hampstead Heath, Highgate Wood and Queen's Park	Golders Hill Park Area	Staff Yard Complex	PIPEWORK REPLACEMENT (GENERAL)	5,000
	Hampstead Heath, Highgate Wood and Queen's Park	Golders Hill Park Area	Staff Yard Complex	RADIATORS REPLACEMENT	6,000
	Hampstead Heath, Highgate Wood and Queen's Park	Golders Hill Park Area	Staff Yard Complex	SPACE HEATERS REPLACEMENT ((2 No.) (REZNORS POLY TUNNEL))	8,000
	Hampstead Heath, Highgate Wood and Queen's Park	Golders Hill Park	1 & 2 Golders Hill Houses	BRICKWORK REPOINTING	2,500
	Hampstead Heath, Highgate Wood and Queen's Park	Golders Hill Park	1 & 2 Golders Hill Houses	EXTERNAL DECORATIONS	4,500
	Hampstead Heath, Highgate Wood and Queen's Park	Golders Hill Park	Cafeteria and Public Toilets	EXTERNAL DECORATIONS	6,000
	Hampstead Heath, Highgate Wood and Queen's Park	Golders Hill Park	Cafeteria and Public Toilets	REFURBISHMENT (TOILETS)	30,000
	Hampstead Heath, Highgate Wood and Queen's Park	Golders Hill Park	Zoo Shelter and Toilets	FOUL WATER PUMPS AND DRAIN RUN REPLACEMENT	20,000
	Hampstead Heath, Highgate Wood and Queen's Park	Golders Hill Park	Tennis Booking Hut and Shelter	LIGHTING REPLACEMENT	1,000
	Hampstead Heath, Highgate Wood and Queen's Park	Golders Hill Park	Bandstand	STRUCTURE DECORATIONS	3,000
	Hampstead Heath, Highgate Wood and Queen's Park	Golders Hill Park	Flamingo Pond Shelter	POND RELINING	10,000

**Additional Works Programme 2016-17**

	<b>Committee</b>	<b>Property</b>	<b>Location</b>	<b>Description</b>	<b>2016 / 17</b>
	Hampstead Heath, Highgate Wood and Queen's Park	Sandy Heath and Heath Extension	Staff Yard and Changing Rooms	SHOWER/TOILET REFURBISHMENT (CHANGING ROOMS)	60,000
	Hampstead Heath, Highgate Wood and Queen's Park	Sandy Heath and Heath Extension	Public Toilets and Store	TOILET REFURBISHMENT	10,000
	Hampstead Heath, Highgate Wood and Queen's Park	Sandy Heath and Heath Extension	Public Toilets and Store	WINDOWS REPLACEMENT	8,000
				<b>Total</b>	<b>1,416,050</b>

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<b>Committees</b>	<b>Dated:</b>
Hampstead Heath Consultative Committee Hampstead Heath, Highgate Wood & Queen's Park	09/03/2015 23/03/2015
<b>Subject:</b> Hill Garden Pergola	<b>Public</b>
<b>Report of:</b> The City Surveyor (CS 044/15)	<b>For Information</b>

## Summary

The Hill Garden Pergola is regarded as a hidden gem of Hampstead Heath and is much loved by visitors as well as now being used increasingly for weddings and civil ceremonies as well as filming events.

This report sets out the issues affecting the condition of the Pergola and the works that are currently planned to address safety. Further reports will be prepared to obtain financing for the extensive major works required to deal with the long term deterioration which is mainly due to damp penetration.

## Recommendation

Members are asked to note the report.

## Main Report

### Background

1. The Superintendent of Hampstead Heath presented a previous report on Maintenance Works and Future Proposals at the Hill Garden & Pergola to the Hampstead Heath Consultative Committee on 12 November 2013.
2. This report has been prepared following questions raised at the Consultative Committee meeting on 7 April 2014 when a report of what works were planned for the Pergola was requested.
3. The City Surveyor has commissioned historical research and condition reports from consultants including The Morton Partnership and Alan Baxter Associates over recent years. The report summarises the historic background and sets out an overview of the current condition of the Pergola with priorities for future remedial works.
4. The City Surveyor has undertaken remedial works to the Pergola which have been primarily driven by the need to address health & safety concerns. These include making safe to timber superstructure and repaving. The report identifies the further works required at the Pergola.

## Current Position

### Historical background to the Hill Garden Pergola

5. The Hill Garden Pergola, located on West Heath, was constructed between 1905 and 1925. The main building, known as The Hill or Hill House, was acquired by William Hesketh Lever, Lord Leverhulme in 1904. He began redevelopment work which continued up to his death in 1925, including enlargement of the house and its gardens.
6. Three phases of the works to the gardens and Pergola were carried out by Thomas H. Mawson, a renowned landscape architect whose importance had been recognised by being appointed President of the Royal Town Planning Institute in 1923 and, in 1929, the first President of the Institute of Landscape Architects. Mawson's association with the Hampstead Heath Pergola is integral to its historic significance.
7. The site was unaltered whilst in the subsequent ownership of Lord Inverforth although the house was renamed as Inverforth House. After Lord Inverforth's death in 1955 the house and surrounding gardens were given to Manor House Hospital. Inverforth House was home to the Orthopaedic Society Hospital from the 1950s to the 1980s.
8. Following an unsuccessful attempt by the hospital to develop the site, the western section of the Pergola was offered to the London County Council who purchased it in 1959. Restoration was carried out and this section of the garden and Pergola were opened to the public in 1963. The eastern section had been left to deteriorate. In 1971 the hospital also handed over responsibility for this section to the Greater London Council who took over all responsibilities relating to maintaining the upper parts and planting in return for allowing public access to this section as well.
9. The Pergola was listed as Grade II\* in 1978. The listing describes it as a "colonnaded pergola constructed of paired and single Doric columns of Portland stone carrying a timber pergola superstructure imitating a Doric entablature" with a "solid brick screen wall on north side" and "tiled pavement; approached by balustrade steps at north-west end from the northern garden and with steps on the south side." It adds a historic note that "the terraces were constructed using spoil from the Hampstead Tube excavations" and has "views south across Hampstead Heath woodland and at western end into northern garden."
10. In 1985 the Greater London Council purchased the remainder of the structure, that they had previously not owned, and 1.5 acres of the surrounding land separating the ownership of the structure and gardens from Inverforth House. 1986 saw the abolition of the Greater London Council and ownership of the Pergola was eventually transferred to the City Corporation in 1989.
11. The acquisition came at an unfortunate time as The Great Storm of 1987 had left much of the Pergola in a badly damaged state. The City Corporation began a programme of restoration costing £1.4m. The western section (known as section

2 in this report) was left untouched as it was considered to be in a much better condition having been better maintained whilst in local authority ownership since 1960 and also less damaged by the storm. Extensive restoration works were undertaken to the eastern section (known as section 1) and the Pergola in its entirety was opened to the public in 1995.

12. The Pergola became a licenced venue for weddings and civil ceremonies in 2013. Four ceremonies took place in 2014 and there are 15 bookings for 2015.

#### Description and layout of the Pergola

13. The Pergola comprises a high level walkway approximately 250m long lined by stone columns and containing several staircases. A number of varied small structures and features are contained within the Pergola creating a complex and challenging building to maintain and manage. The largest and most visually significant areas are the Belvedere structure which includes the Belvedere viewing terrace; oak domed and tent-shape structures supported on stone columns; the paved walkways with integral planters; a bridge built over the public footpath and a copper roofed cupola. At ground level a large internal walkway has a brickwork façade containing arches, a rotunda, a steel spiral staircase and store rooms.
14. The eastern section of the Pergola immediately adjacent to Inverforth House is referred to as section 1. The western section, from the bridge to the belvedere structure, is referred to as section 2. Please see Appendix 1 for a plan of the Pergola showing its relationship to Inverforth House and the Hill Garden.
15. The land owned by the City Corporation extends by one metre into the grounds belonging to Inverforth House to allow access for maintenance from this side to section 1 of the Pergola. The north boundary of section 2 abuts the rear of private residential properties in Inverforth Close.

#### Condition report

16. The condition report is set out in the following sequence. It starts with section 1 (the eastern section next to Inverforth House) with issues reported sequentially from higher level downwards. Items common throughout the Pergola are generally reported in section 1. Photographs to illustrate the condition report are included in Appendix 2.

#### 17. Section 1: Pergola timber superstructure

The Pergola timber superstructure comprises decorative oak horizontal beams and cross beams with raised domes and tent type features, specifically The Temple and The Summer Pavilion. These were rebuilt as part of the 1995 reconstruction works.

The individual oak members of the timber superstructure have undergone quite extensive movement such as shrinking, bowing and twisting which is typical of unseasoned timber. Some timber features, such as the balls and finials, have

rotted. A series of repairs were carried out in 2012 including replacing rotten parts, checking and tightening all open joints, and fitting steel straps across weak joints.

The condition of the pergola timber superstructure will be regularly monitored. The entire superstructure is planned to be refurbished or replaced in about 10 years' time although its condition will be monitored to try to maximise its life whilst it is in a safe condition.

#### 18. Section 1: Stone columns

Stone columns are located throughout the Pergola. These are a mixture of original columns made from Portland stone and replacement columns made from reconstituted stone. The columns are located on the upper walkways of the Pergola and form a fixing platform for pergola timberwork superstructure. The timberwork and the stonework are fixed together with a centrally located dowel in the head of columns. A lead capping has been fitted to separate the oak timber section from the Portland stone to form a barrier to alleviate the acid attack that is evident in section 2.

The general condition throughout section 1 is good with only small isolated repairs currently required. The additional lead capping detail has proved successful and there are no further works deemed necessary, except for general minor repairs, as and when they are required.

#### 19. Sections 1 & 2: Stone balustrades

Stone balustrades are also located throughout and, along with the metal railings, provide edge protection to the raised garden structure. The original balusters were made from Portland stone but all replacements have been made from reconstituted stone.

The stonework has been fixed using a centrally located ferrous dowel. A number of the balustrades are showing signs of decay such as spalling and cracking; this is probably due to the corrosion and expansion of the ferrous metal dowels.

English Heritage suggested, in a report dated 1989, that all the balustrades should be dismantled and the dowels replaced with a non-ferrous metal type and the reconstituted stone replaced with Portland stone. It is not considered that the defect is so serious that this work is warranted although the City Corporation monitors safety with regular inspections and will carry out spot repairs as and when they are required.

#### 20. Section 1: High walkway paving and planting beds

The paving slabs sit on sleeper walls suspended over a void above a structural slab. The void space contains planting beds for the ornamental plants and climbers growing through the Pergola. The growing medium (earth) is not held in containers and, together with plant root systems, has spread. There is no effective waterproofing membrane between the voids and the structure of the Pergola. There is an irrigation system which has, together with rainfall, resulted in

extensive water penetration into the structure.

The condition of the planting beds and walkway surfaces are satisfactory but the absence of effective waterproofing is causing deterioration of the structure below particularly to the brickwork and steel beams.

A tanking system should be introduced within the planters to contain the root systems and water from the irrigation systems, together with an effective method of draining excess water from the void area. The existing planting will need to be removed to enable these works. These works should be undertaken in advance of any full scale renovation projects.

#### 21. Sections 1 & 2: Metal railings & gates

Metal railings and gates provide edge protection and a physical boundary barrier to the neighbouring private grounds of Inverforth House and where the walkway is raised above higher ground. The condition is generally fair but a small number of base fixings into stonework are showing signs of corrosion.

The City Corporation monitors safety with regular inspections and will carry out repairs when required. The railings will be redecorated through the cyclical maintenance programme and at the same time check and carry out any repairs to fixings that are required.

#### 22. Sections 1 & 2: Brickwork

The lower level walkway of section 1 has an arcaded brick wall adjoining the lower garden area with arches supporting the upper level walkway. In section 2 brickwork wall support the walkway where this rises above ground level. The bridge is also faced with brickwork. Large areas of brickwork are heavily weathered and have been affected by efflorescence. The most significant areas of damage are the brick arches, circular windows in section 1. Some of the previous repairs are of poor quality, e.g. the use of hard cement mortar and facing where the surface of the bricks has laminated. The brickwork generally needs repointing.

The defects present are generally associated with water ingress from the upper walkways, the age of the brickwork and the exposed location of the Pergola. A consequential result of this damage could eventually lead to structural defects. The water ingress should be remedied. Damaged areas of brickwork should be rebuilt, particularly features that have structural properties such as the arches and circular windows.

#### 23. Section 1: False windows

The original window openings in the brickwork walls were lost when structural remedial works were carried out in 1995 as the rooms and spaces in the lower walkway were filled with mass concrete. The windows have been replicated in the form of false windows comprising brickwork details and a recessed rendered panel decorated in a *trompe l'oeil* effect.

Several of the false windows were re-rendered and repainted in April 2013 and are in good condition. The remainder are now in need of similar treatment.

#### 24. Section 1: Lower walkway and the retaining wall to Inverforth House grounds

The rear wall of the lower walkway is a structural retaining wall holding back the higher level grounds to Inverforth House. This retaining wall was rebuilt as part of the 1995 renovation work project and at the same time the ground level was reduced by forming a dry moat type feature. Water will build up on the reverse side of the retaining wall and this should be allowed to drain away somehow but it is unclear how this was designed.

There is minor cracking in the inner face of the retaining wall and water pressure has formed seepage routes which are unsightly but are not of cause for concern in respect of the structural stability of the wall. There are no simple solutions to alleviate the water seepage problem and as this is of relatively minor concern to visitors it is not intended to undertake any remedial works however the situation will be monitored.

#### 25. Section 1: Rotunda

The rotunda is the brick drum shaped structure that is located at the change of direction in the south length of the Pergola. The rotunda has suffered structural damage evident as cracking at high level and movement away from the main walls. An attempt to remedy this is also evident in the form of a steel beam.

Recent structural investigations conclude that the movement is likely to be the result of thermal expansion and contraction over the length of the Pergola but it is not regarded as significant and the cracks have actually introduced expansion joints. They have recommended that any attempt to tie the rotunda back should be avoided. The cracks and movement will be monitored. The openings will be filled with non-structural weatherproofing jointing material.

#### 26. Section 1: Lower walkway steel beams

Steel beams have been fitted to the underside of the upper walkway structural slab. These steel beams are suffering from corrosion and adjacent concrete is spalling. This is probably as a consequence of the non-effective waterproofing system to the voids containing planting beds and an irrigation system.

The waterproofing system beneath the upper level walkway should be made effective and incorporate drainage to discharge incident water. The steel surfaces should be adequately prepared to receive a new durable protective coating and the spalling concrete should be repaired. The steel beams should be regularly monitored.

#### 27. Section 2: The bridge

The bridge spans over the footpath leading from Inverforth Close to the West



Heath area. It is formed by a brick masonry arch faced in stonework bonded back to the arch. Minor repairs, such as repairs to cracked stonework keystones, brickwork replacement and repointing to open joints, were carried out in 2011. At this time it was found that water ingress had caused corrosion in the steel dowels in the key stones.

The structural condition of the bridge is monitored regularly, it is considered to be stable, however some of the conditions affecting other parts of the Pergola, such as water ingress from the walkway, the condition of brickwork and balustrades also affect the bridge.

## 28. Section 2: Pergola timber superstructure

The pergola timber superstructure comprises oak horizontal beams and cross beams. This is the original timberwork, now almost 100 years old. It is of a more elegant, less decorative, design than the replacement timberwork in section 1. The timbers are very decayed with some of the original timber details lost with age. Many of the beams are now missing. The remaining beams have been secured with plastic straps as a temporary measure. The timberwork forms an integral part of the structure of the colonnade; connecting the tops of the columns. The weakness in the timberwork therefore has an adverse effect of the structural integrity of the colonnade.

Although the timberwork is regularly monitored the colonnade area is closed to visitors during high wind conditions because of concerns with the safety (as noted in the Superintendent's 2013 report). Overall the timberwork is overdue for replacement with new oak timber to match the original design. The timberwork should be replaced conjunction with repairs to the columns as part of any restoration project.

## 29. Section 2: Stone columns

Portland stone columns form a colonnade walkway supporting a timber superstructure. The structural integrity of the stone columns has been affected by the decay of the timber superstructure which should fix into the columns to provide lateral support. The stonework itself is in generally reasonable condition but has been affected by acid attack to the capitols and fixing dowels due to lack of separation with the oak timbers.

The timberwork should be replaced as noted already in this report. At that time the decay to the stonework due to acid attack should be addressed. It is likely that this will require replacement sections of stone with new non-ferrous dowels. The lead separating detail, used in section 1, should be replicated when this work is undertaken in section 2.

## 30. Section 2: Raised level paving and planting beds and staircases

Where the Pergola colonnade approaches the Belvedere viewing terrace, at the western end of section 2, the Pergola rises above natural ground level and forms a two-storey structure with a viewing terrace and shelter above with store rooms below. There are paving slabs and planting beds situated over the lower level

accommodation. It is suspected that the waterproofing in the structure is not effective and this is causing dampness in to the structure.

At this location there are also a number of staircases. The main staircase descends along the line of the viewing axis towards the Hill Garden whilst minor staircases lead back to ground level on either side of the Pergola and the Belvedere structure. Some of these minor staircases lead to locked doors or to areas that are out of bounds to visitors. Some of the redundant store rooms, which have open mesh windows, are sometimes inhabited by bats. There are also minor staircases either side of the Pergola in section 1 near the bridge.

The condition of the planting beds and walkway surfaces are satisfactory but the absence of effective waterproofing is causing deterioration of the structure below. The staircases are in a poor condition. The stonework has been affected by damp and vegetation growth with cracked risers and treads and poor quality previous repairs. There are also signs of structural movement. Some of the timber doors are decayed.

Waterproofing works were carried out in March 2014 to an area forming part of the staircase up to the Belvedere Structure. The structural slab and severely corroded reinforcement was replaced with waterproof tanking. Remedial works to the main staircase between the Belvedere and the Hill Garden are planned for later this year (2015/16) as part of the cyclical maintenance programme. The entrance to the Belvedere structure store room requires re-rendering once the dampness problem has been resolved and allowed to dry out.

Waterproofing works such as tanking should also be carried out to the raised structural slabs above the store rooms and other accommodation on the lower level. This should incorporate a means of containing the planting beds and draining away of surplus irrigation water. The existing planting will need to be removed to enable these works. These works should be undertaken in advance of renovation works to lower levels. This work can be followed with remedial works to rendered surfaces and redecorations in the lower level store rooms.

Remedial works to the staircases including replacement of stonework or realignment of treads and risers, together with replacement of decayed timber doors would enable these to be put back in to use and reopened to visitors.

### 31. Section 2: Paving to colonnade

The colonnade walkway is an attractive design of brick paviours and stone slabs. The central part of the walkway, mainly consisting of brick paviours, had suffered settlement probably due to root damage over the years resulting in ponding and, in winter, icy conditions that made the Pergola unsafe for visitors. The brick paviours were re-laid in 2013 as part of the cyclical maintenance programme.

The condition of the paved surfaces will be monitored and local repairs undertaken as necessary. The stone slabs will be taken up and re-laid to alleviate possible future damage due to root growth as part of the overall restoration of the section 2 Pergola.

### 32. Section 2: Party wall to properties in Inverforth Close

The wall between the rear of the colonnade and the residential properties in Inverforth Close has a top coping course formed of brickwork and tiles. (A coping course is an impervious layer that will shed rainwater thus preventing dampness entering the structure.) Some of the residential properties have greenhouses abutting this wall on their side. The brickwork and tiles forming the coping course have become loose with age. These have been removed along the length of this wall to avoid falling on visitors or into neighbouring gardens.

The top of the wall needs to be repaired or rebuilt as necessary and to incorporate an adequate coping course. This work will need to be carried out in consultation with the adjoining owners of the residential properties in Inverforth Close. Works such as this are undertaken under the provisions of the Party Wall Act 1996. These works should be carried out as part of the restoration project.

### Recent, current and planned maintenance and repair works

33. Repairs and associated works carried out to the Pergola, since 2011, include: repairs to the keystones and repointing to brickwork to the bridge; repairs to the oak timber superstructure to section 1; replacement rainwater pipes; rendering and decoration to false windows; repaving works; and making safe the coping stones. These works cost a total of approximately £135,000.

34. Monitoring works are on-going as noted in the condition report. This includes the following elements of the Pergola: stone balustrades, metal railings, retaining wall, rotunda, steel beams, timber superstructures, the bridge, and to the paved walkways. The monitoring is undertaken by staff and consultants. Any issues of concern are addressed or reported for remedial works as appropriate.

35. Estimates for works at the Pergola are included in the City Corporation's forward maintenance plan. The estimates, set out below, for 2014/15 and 2015/16 have been approved and are part of the Additional Work Programme. The estimates for future years (in italics) are not approved and are subject to review. Capital funding in future years will be significantly constrained and a suitable business case will need to be made to secure financing.

<b>Description</b>	<b>2014/15</b>	<b>2015/16</b>	<b>2016/17</b>	<b>2017-2022</b>
Repairs to Belvedere staircase	£150,000			
Redecorations to stores & shelters		£10,000		£5,000
Investigative surveys		£10,000		
Monitoring		£2,000		£6,000
Major repairs		£100,000	£100,000	
Refurbishment section 2			£20,000	£750,000
Repairs to cracks			£4,000	
Major repairs				£1,800,000
Totals	£150,000	£122,000	£124,000	£2,561,000

36. Remedial works to the staircase and waterproof tanking to the slabs in the Belvedere structure are being planned to be carried out later this year (2015/16), as noted previously, from the £150,000 provision in the 2014/2015 Additional Work Programme budget provision.
37. The provisions totalling £200,000, in years 2015/16 & 2016/17, for major repairs have been assigned for the renewal of the timber superstructure and stone columns in section 2. This will address the current safety concerns and the need to have to close parts of the Pergola at times.
38. The large sums, totalling £2,550,000, in the forward maintenance plan for years 2017 to 2022, will be subject to the City Corporation's Operational Property Review and the Project Gateway approval process. This will be for the works identified in the condition report that are needed to address the major repairs required stop the long term deterioration of the Pergola and are summarised below:
- Waterproofing works to sections 1 and 2
  - Remedial works to staircase and store rooms to section 2
  - Remedial works to columns in section 2
  - Brickwork repairs to section 1
  - Steel beams to section 1
  - Copings to party wall works to section 2
  - Stone paving relaying to section 2
39. Further reports will be developed as the major works proposals are developed in more detail. These will include cost estimates, programming and the implications on access to the Pergola during construction periods.

## **Conclusion**

40. The condition report identifies essential remedial works on both sections of the Pergola. Some work is being undertaken through the Additional Works Programme but major works are required that will need to be funded through the capital programme including major problem which is the rectification of damp penetration through the walkways and planters into the structure of the Pergola.

## **Appendices**

- Appendix 1 – plan of the Pergola
- Appendix 2 – photographs

## **Background Papers**

- Report of Maintenance and future proposals at the Hill Garden & Pergola, report of the Superintendent of Hampstead Heath to the Hampstead Heath Consultative Committee on 12 November 2013.

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## APPENDIX 2: PHOTOGRAPHS



Section 1: dome shaped timber superstructure



Section 1: showing opening of joints in the timber superstructure





Section 1: showing upper level walkway with stone balusters and columns and planting beds which extend into the void between the paved surface and the structural slab.



Section 1: Brickwork arcade to lower level walkway showing deterioration due to dampness.





Section 1: brickwork deterioration around a circular window feature and efflorescence below the level of the structural slab to the walkway.



Section 1: The rotunda feature showing unsightly efflorescence.





Section 2: The false windows after renovation in 2013.



Section 2: water seepage through the retaining wall.



Section 2: showing timber superstructure with decayed and missing sections.



Section 2: showing decayed timbers and acid attack to Portland stone column from oak timbers.





Section 2: showing renewed brick pavements and planting beds set into the structure.



Section 2: general view showing renewed brick pavements.





Section 2: cracked staircase at the Belvedere structure which will be repaired as part of the 2015/16 cyclical maintenance programme.



Section 2: one of the minor staircases showing cracked treads.





Section 2: repairs to Belvedere stair platform undertaken in 2014.



Section 2: The Bridge