

HAMPSTEAD HEATH, HIGHGATE WOOD AND QUEEN'S PARK COMMITTEE
Wednesday, 25 November 2020

Minutes of the virtual meeting of the Hampstead Heath, Highgate Wood and Queen's Park Committee held on Wednesday, 25 November 2020 at 4.00 pm

Present

Members:

Anne Fairweather (Chair)
Karina Dostalova (Deputy Chairman)
Deputy David Bradshaw
Alderman Prem Goyal
Michael Hudson
Deputy Edward Lord
Wendy Mead
Deputy John Tomlinson
William Upton QC
Yianni Andrews (Royal Society for the Protection of Birds)
John Beyer (Heath & Hampstead Society)
Chris Byers (English Heritage)
Richard Cornelius (London Borough of Barnet)
Adeline Siew Yin Au (Ramblers' Association)
Caroline Haines (Ex-Officio Member)
Oliver Sells QC (Ex-Officio Member)

In Attendance:

Danny Murphy - Heath Ranger Supervisor

Officers:

Colin Buttery - Director of Open Spaces
Bob Warnock - Superintendent of Hampstead Heath
Katherine Radusin - PA to Superintendent of Hampstead Heath
Richard Gentry - Constabulary and Queen's Park Manager
Jonathan Meares - Highgate Wood, Conservation & Trees Manager
Declan Gallagher - Operational Services Manager, Hampstead Heath
Yvette Hughes - Business Manager, Hampstead Heath
Paul Maskell - Leisure and Events Manager, Hampstead Heath
Mark Jarvis - Head of Finance, Chamberlain's Department
Rob Shakespeare - Principal Curator, Keats House
Philip Saunders - Parliamentary Affairs Counsel, Remembrancers Office
Kristina Drake - Media Team, Town Clerk's Department
Leanne Murphy - Town Clerk's Department

1. APOLOGIES

Apologies were received from Ruby Sayed and Alderman Gregory Jones QC.

The Chair welcomed new Members Caroline Haines (Deputy Chairman, Open Spaces & City Gardens Committee), Chris Byers (representing English

Heritage) and Yianni Andrews (representing Royal Society for the Protection of Birds) to the Committee and gave thanks to Graeme Doshi-Smith, Christopher Small and Rachel Evans for their work on the Committee. It was noted that Councillor Thomas Gardiner's term as the London Borough of Camden representative had ended and a new representative would be decided in December.

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

There were none.

3. **MINUTES**

RESOLVED, that the public minutes of the meeting held on 9 September 2020 were approved as a correct record.

4. **OTHER MINUTES**

4.1 **Hampstead Heath Consultative Committee**

The draft public minutes of the Hampstead Heath Consultative Committee (HHCC) meeting held on 19 October 2020 were received.

The Chair confirmed that feedback from the HHCC, Highgate Wood Consultative Group and Queen's Park Consultative Group Members regarding Lord Lisvane's recommendation concerning Consultative Committees/Groups had been shared within the Governance Review process.

4.2 **Highgate Wood Consultative Group**

The draft public minutes of the Highgate Wood Consultative Group (HWCG) meeting held on 7 October 2020 were received.

4.3 **Queen's Park Consultative Group**

The draft public minutes of the Queen's Park Consultative Group (QPCG) meeting held on 7 October 2020 were received.

The Deputy Chairman requested an update concerning the Queen's Park toilet block project. The Project had been through the Capital Bids process and had been approved to be rebuilt but had subsequently been reprioritised following the impact of Covid-19 and the Corporation's budget readjustments. Members noted the Superintendent's Update reports for Queen's Park and Highgate Wood circulated separately by the Town Clerk outlined the deferral of the Project and were advised that Officers were working with City Surveyors Department to utilise funds identified in the Cyclical Work Programme for this Project.

5. **FRONT LINE WORK UPDATE**

Members received a verbal update from the Heath Ranger Supervisor providing a front-line worker perspective of the issues experienced across the Heath during the summer season and lockdowns.

Members were advised that the significant footfall experienced every day throughout both lockdowns surpassed the numbers normally achieved at the height of summer. The first lockdown saw compaction issues from people trying to avoid other people. The second lockdown, whilst shorter, had seen even more people with shorter daylight hours and visitors reverting to the main paths. Rubbish and dog waste continued to remain the overwhelming issues for staff to deal with.

It was noted that whilst the public had been overwhelmingly supportive, there had been incidences of staff receiving verbal abuse especially those cleaning the public toilets. These incidents were reported to management and additional control measures were introduced to protect staff.

Mr Murphy recognised how important Open Spaces were to everyone's physical and mental health, especially during the pandemic, and noted that staff had received great feedback from the public. Heath Hands and other local volunteer groups were thanked for their significant help with litter picking.

The Chair thanked Mr Murphy for his 38 years of service working at the Heath which highlighted the wealth of experienced staff working across the City Corporation's Open Spaces. The Chair and Members expressed concern regarding the abuse received by staff and supported the zero-tolerance response from management.

Members saw dealing with litter to be the biggest challenge and cost and thanked staff for all they did to manage this. This further emphasised the need for communications urging the public to take their rubbish home and protect Open Spaces which were an asset to all.

Despite the complications with counters at the Heath, the Deputy Chairman noted that Epping Forest had recorded five times more footfall and queried approximately what had been seen by staff at the Heath. Mr Murphy stated that virtually every day was like a summer's day times five.

In response to a query concerning lost dogs, Members were informed that the lockdowns had seen an increase in new dog owners. Most cases of lost pets were reported and found quickly, and staff maintained a good relationship with the local Vets who were sometimes used to scan for chip identification, along with working with Camden's Dog Warden.

6. **SUPERINTENDENT'S UPDATE**

Members considered a report of the Superintendent providing an update on matters concerning Hampstead Heath, Highgate Wood and Queen's Park. The following points were made:

- Members were advised that facilities would reopen on 2 December 2020 and Officers awaited the Government announcement on what Tier London would be classed. Lockdown had been used to bring in improvements ensuring all facilities would remain Covid secure when they reopened.

- The Constabulary had not seen the same level of public disorder due to the colder weather and continued to work with the MET Police delivering the four E's approach of Engage, Explain, Encourage, Enforce.
- Officers confirmed they were working in a multi-agency approach with Camden's Outreach Team to concerning a rough sleeper that would not accept help and legal action was being pursued by the City Corporation.
- It was noted that footage from the body worn video cameras worn by the Constabulary could be used as evidence against byelaw offenders.
- Two fixed-term Constabulary Officers would be recruited next week bringing the Team up to full capacity.
- The Superintendent updated Members on four planning applications:
 - **55 Fitzroy Park.** The City Corporation has maintained its opposition in relation to the application to build five houses and have employed a Hydrologist to assess the drainage implications and the impact on the Heath. Officers await a decision by Camden Council.
 - **Jack Straws Castle.** It was confirmed that Camden Council declined this planning application and the Superintendent thanked the Heath & Hampstead Society for their support.
 - **Telecoms Mast (Spaniards Road).** Officers have provided representations in relation to this planning application.
 - **108 South Hill Park.** It was noted that this application would have a visual impact and effect on openness. Officers have provided representations in relation to this planning application.
 - **Telecoms Mast (outside Ivy House).** The Planning Inspectorate declined the Appeal.
- Members were advised that Officers were to retender the Golders Hill Park Accessible Car Park to seek further options to enable the accessible car park to open safely at weekends and bank holidays.
- With regard to the Parliament Hill tree planting proposal from the Dartmouth Park Neighbourhood Forum (DPNF), the Superintendent drew Member's attention to the preferred planting suggestion in Appendix 1. This would be incorporated into the AWP and Officers would be seeking sponsorship of the trees.
- A Member voiced the Heath & Hampstead Society's support for the Dartmouth proposal which would improve this bare area.
- It was noted that Tree Management Officer David Humphries, who has worked on the sites for 35 years, won the London Tree Officers Association Individual Commitment Award at the Forestry Commission's London Tree and Woodland Awards. Members applauded this

achievement and were grateful to the Tree Team for their hard work preserving trees across the three sites.

- In response to a query concerning the Constabulary's new radio facility, Members were informed the communications technology had changed and the current mast provider had served a year's notice. A tendering exercise would analyse the annual costs for the new system.
- Members supported the plans for charity reporting for Highgate Wood and Queen's Park.

150th Anniversary of the 1871 Hampstead Heath Act

- Members were informed that 2021 would mark 150 years since the Hampstead Heath Act, which was recognised as a key event for the Heath and City Corporation.
- The Principal Curator noted that key moments of celebration were likely to take place in the summer months when Covid-19 restrictions had reduced. Ideas for celebrating this event included interactive displays at the Heath, a community event at the Heath and monolith displays in the City. Officers are working with Heath Hands to explore habitats and species for focussed displays.
- Members were supportive of a shared logo and communications plan for the events celebrating this anniversary as a partnership.
- The Chair felt this was a great opportunity to celebrate the Heath in terms of its conservation and cultural history and the City Corporation's involvement in the movement to protect Open Spaces.
- In response to a question regarding budget, Officers confirmed that the focus of activity would be in the summer resulting in a community event provisionally planned for 29 June 2021, but more could take place throughout the year as the aim was to raise awareness for the Act. It was noted that there was a small entertainment budget available.
- A Member recommended liaising with Mansion House to ensure the event date was saved in the Lord Mayor's diary and the Hospitality Working Party were made aware concerning possible funding.

RESOLVED – That Members:-

- Agree the Dartmouth Park Neighbourhood Forum tree planting proposal as set out in para 15;
- Agree the Highgate Wood priorities that will then be included in the Plans for Future Periods section of the Annual Charity Report 2021/22 as set out in para 20;

- Agree the Queen's Park priorities will then be included in the Plans for Future Periods section of the Annual Charity Report for 2021/22 as set out in para 24.

7. **GOVERNANCE REVIEW**

Members received an oral update from the Chair concerning the City Corporation's Governance Review and Lord Lisvane's recommendations.

The Chair confirmed that consideration of Lord Lisvane's recommendations was being led by Sherriff Hayward and the recommendations relating to Open Spaces would likely be reviewed in six months. Feedback in relation to the proposal that the Consultative Committees be abolished was shared and the Chair highlighted the view that HHCC, HWCG and QPCG all added significant value and democratic accountability to this Committee.

Members made the following comments:

- Members felt that Lord Lisvane had not fully understood the role, remit or statutory basis of the Committees or the Open Spaces they represented.
- It was felt that it would be completely impractical for the four Grand Committees for Open Spaces to be merged into one not only because of the different statutory implications but because of the different concerns each Open Space had. It would also be impossible for one Chair to manage the huge demand of a merged Committee.
- It was agreed that Consultative Committees fulfilled a valuable role as each Open Space was unique and required its own local consultation.
- The representative for the Heath & Hampstead Society stated that they opposed the abolition of the Consultative Committees and did not agree with a consolidated Open Spaces Grand Committee as it was not practical in light of the huge numbers of people involved in each area that it would oversee.
- It was noted that whilst good governance might generally suggest that Committees have an upper limit of 15, the London Government Reorganisation (Hampstead Heath) Order 1989 stated that this Committee alone should consist of not fewer than 18 Members including relevant external local representation.
- The Chair welcomed any wider feedback concerning the Review and agreed to share all feedback provided within the process.

8. **CODE OF CONDUCT FOR DOG WALKERS AND LICENSING SCHEME FOR PROFESSIONAL DOG WALKERS**

Members considered a report of the Superintendent of Hampstead Heath proposing the introduction of a Code of Conduct for Dog Walkers and a Licensing Scheme for Professional Dog Walkers to regulate this commercial

activity using the powers available through the City of London Corporation (Open Spaces) Act 2018.

The Superintendent thanked the Working Group and the Consultative Committee for their feedback which had been captured in the report. The plan was to start small and review in a years' time and make adjustments if required. Members requested that the scheme be reviewed quicker if there were clear concerns after implementation.

In response to a query regarding engagement, Members were informed that online engagement and pop-ups were set up and received strong support.

Members were supportive and the Superintendent stated that the next steps were to develop a communications plan on applications. The same process would also be developed at Highgate Wood and Queen's Park.

RESOLVED – That Members:-

- Approve the key documents with a view to the Licencing schemes coming in effect on 1 April 2021 (appendix 1-3);
- Approve an initial allocation of 20 licences on Hampstead Heath which will be issued for both AM and PM sessions (para. 22)

9. FIXED PENALTY NOTICES

Members considered a report of the Superintendent of Hampstead Heath concerning the authorisation of Officers to issue Fixed Penalty Notices (FPNs) for byelaw offences and certain other offences under the City of London Corporation (Open Spaces) Act 2018.

In response to a query concerning how Constabulary dealt with repeat offenders, Members were informed that repeat offenders would be taken through the Court process if FPNs were deemed not to be working.

RESOLVED – That Members:-

- Agree the delegation of authority to the Director of Open Spaces and the Superintendent of Hampstead Heath, Highgate Wood, Queen's Park to authorise officers to issue FPNs and require a name and address where there is reason to believe that a person has committed an offence, pursuant to the City of London Corporation (Open Spaces) Act 2018;
- Agree the amount of the Fixed Penalty for offences within Hampstead Heath, Highgate Wood and Queen's Park in respect of which an FPN may be issued under the Open Spaces Act 2018 being set at £80.00 with a reduction to £50.00 if paid within 10 days.

10. **REVISED TENDER TIMELINE FOR THE PARLIAMENT HILL, GOLDERS HILL PARK, PARLIAMENT HILL FIELDS LIDO, HIGHGATE WOOD, QUEEN'S PARK CAFÉS, AND THE HEATH EXTENSION KIOSK**

Members considered and approved a report of the Superintendent of Hampstead Heath which sought Committee agreement on a revised timeline for the tendering of the Parliament Hill, Parliament Hill Fields Lido, Golders Hill Park, Highgate Wood, Queen's Park Cafés, and the Heath Extension Kiosk following delays caused by Covid-19.

Members also approved to further extend the leases for the Parliament Hill and Parliament Hill Fields Lido Cafés to January 2023.

RESOLVED – That Members:-

- Note the feedback and recommendations from the Golders Hill Park Café User Engagement - outcome report (appendix 1);
- Agree the extension of the leases for the Parliament Hill Café and the Parliament Hill Fields Lido Café by 24 months, as outlined in para 9;
- Agree the revised tender timeline as outline in para 10;
- Agree that future leases will be for a period of ten years, as proposed in para 15.

11. **HAMPSTEAD HEATH PONDS AND WETLANDS CONSERVATION PLAN**

Members considered a report of the Director of Open Spaces providing an update on the Hampstead Heath Ponds and Wetlands Conservation Plan.

Members were informed that Officers were building on the success of the Hampstead Heath Ponds Project which had achieved ecological and conservation gains for the Heath. The Plan also incorporates the City Corporation's new Climate Actions Strategy.

A Member felt it was important to build in a strong vision for the future and how it would be achieved including tracking of the objectives concerning priority species, habitats and flora identified. The Member agreed to share RSPB's plan to assist.

RESOLVED – That Members agree the draft Hampstead Heath Ponds and Wetland Conservation Plan (appendix 1).

12. **REVIEW OF THE 2020 EVENTS PROGRAMME & PROVISIONAL EVENTS PLANNED FOR THE 2021 PROGRAMME**

The Committee received a report of the Director of Open Spaces concerning the significant impact Covid-19 has had on the 2020 Hampstead Heath Events Programme and setting out the events currently scheduled for 2021, taking account of possible further impacts which could arise as a result of Covid-19.

Members were advised that it had been an incredibly difficult year resulting in a loss of revenue for the City Corporation, as well as local groups and charities that relied upon revenue from its small events. Covid-19 had also had a significant impact on the large sporting events that normally take place at the Heath. The Leisure and Events Manager is continuing to support all events and look at how these can go forward in 2021.

RESOLVED – That Members:-

- Agree the principle of the Showmen’s Guild of Great Britain extending the traditional Easter Fair as set out in paragraph 23;
- Agree the principle of adding a second event after the Affordable Art Fair in April/May 2021;
- Agree the proposed 2021 Events Programme (appendix 1).

13. 2020 SUMMER SWIMMING SEASON

The Committee received a report of the Director of Open Spaces providing an update on the 2020 summer swimming season at Hampstead Heath, which was impacted by Covid-19, the current Winter Swimming Season arrangements and the progress implementing the outcomes of the March 2020 Swimming Review.

The Superintendent stated that there had been many challenges to overcome this year and a full review would come to the next meeting. The social distancing controls for Covid-19 had been very restrictive across the Ponds and Lido and Officers had worked hard to implement the necessary control measures. Season tickets were reactivated for the winter swimming season and over 2,000 had been issued.

Officers looked forward to reopening the swimming facilities on 2 December 2020. With regard to arrangements for the popular Christmas Day Men’s Pond swim and race, Officers hoped a very small race could take place this year.

RESOLVED – That Members acknowledge the impact of COVID-19 on the provision of swimming and note the progress implementing the outcomes of the Swimming Review 2020.

14. CLIMATE ACTION STRATEGY

The Committee received an oral update on the latest position following the launch of the City Corporation’s new Climate Action Strategy.

Members were advised that the Corporation’s Open Spaces had a significant role in delivering the strategy and ensure that it will meet the requirement to reduce Scope 1 and 2 carbon emissions to net zero by 2027 and the full value chain by 2040. The Open Spaces were already offsetting emissions by 40% and the targets over the next six years would mainly be achieved through land management changes.

The Chair highlighted that, in addition, the City Corporation was playing a role in funding Green Finance which had a huge impact in the long-term transition to a green financial system and mobilising investment in clean and resilient growth for the future.

A Member noted that there was also an ecological emergency which needed to be included within the climate agenda. Officers confirmed that efforts to improve biodiversity gain alongside climate change was incorporated throughout the Strategy.

15. **INCOME GENERATION**

Members considered a report of the Director of Open Spaces identifying a range of different opportunities and approaches which could generate additional income for the Open Spaces Department.

The Director advised that lots of work was already progressing with £17.5m achieved in self-generated income across the Department (approx. £1.75m made by Hampstead Heath). Despite the devastating impact of Covid-19, the Open Spaces Act had opened up opportunities for income generation including some approved by the Committee today along with offering catering facilities longer leases to enable investment capital into the facilities.

It was noted that a lot of people did not understand that the Heath operated as a charity and a communications approach was being developed to explain the status of the Heath as a registered charity. It was hoped that by making the process easier for people to make donations, gifts and legacies, this would encourage further financial support.

The Director stated that confirmed budgets had not been confirmed, but it was likely to be reduced by 12% as per the Corporation's target efficiencies of 12% of Local Risk Budgets. Members would have the opportunity to review the data and opportunities in detail at the Committee's "special" meeting in January.

In response to question concerning a timeline for building commercial opportunities, the Director confirmed these would be explored at pace, but that investment would be required in order to be more effective. Use of existing built assets as well as potential new facilities were being explored to create new opportunities.

RESOLVED – That Members consider this report.

16. **PLANNING WHITE PAPER**

Members received a report of the Remembrancer and Director of Open Spaces concerning the Government's Planning White Paper.

The Chair thanked the Heath & Hampstead Society and other local groups for their support which had been fundamental, specifically regarding clarification concerning Metropolitan Open Land. It was agreed that the protection of Hampstead Heath as Metropolitan Open Land was vital.

A Member had concerns over the impacts from a conservation point of view as stripping away land could have a detrimental effect on wildlife. The Director confirmed they had liaised with a number of different conservation groups all of whom had differing responses. These concerns were emphasised, and the Director was confident these gaps would be addressed in the White Paper. The partnership approach to capture all views across the Corporation was also praised.

RESOLVED – That Members note the contents of this report and consider whether any additional observations should be made to the response to the White Paper.

17. **RESETTING OF DEPARTMENTAL BUDGETS 2020/21**

Members considered a report of the Chamberlain concerning the resetting of Departmental Budgets 2020/21.

RESOLVED – That Members of the Hampstead Heath, Highgate Wood & Queens Committees note the recommended budget adjustments of £66K increase.

RESOLVED - With two hours having elapsed since the start of the meeting, in accordance with Standing Order No. 40 the Committee agreed at this point to extend the meeting by up to thirty minutes.

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

There were no questions.

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

There were no items.

20. **EXCLUSION OF THE PUBLIC**

RESOLVED – That under Section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting for the following items on the grounds that they involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A of the Local Government Act.

21. **NON-PUBLIC MINUTES**

RESOLVED, that the non-public minutes of the meeting held on 9 September 2020 were approved as a correct record.

22. **REPORT OF ACTION TAKEN**

Members noted a report of the Town Clerk updating Members on action taken by the Town Clerk under urgency or delegated authority in consultation with the Chairman and Deputy Chairman since the last meeting of the Committee, in accordance with Standing Orders No. 41 (a) and (b).

23. NON-PUBLIC QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE

There were no questions.

24. ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT AND WHICH THE COMMITTEE AGREE SHOULD BE CONSIDERED WHILST THE PUBLIC ARE EXCLUDED

There were no items.

The meeting ended at 6.05 pm

Chairman

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