

HAMPSTEAD HEATH, HIGHGATE WOOD AND QUEEN'S PARK COMMITTEE
Wednesday, 26 May 2021

Minutes of the virtual meeting of the Hampstead Heath, Highgate Wood and Queen's
Park Committee held at <https://youtu.be/uDjY9dgsUBU> on Wednesday, 26 May
2021 at 4.00 pm

Present

Members:

Anne Fairweather (Chair)
William Upton QC (Deputy Chairman)
Deputy David Bradshaw
Karina Dostalova
Alderman Prem Goyal
Michael Hudson
Alderman Gregory Jones QC
Wendy Mead
Jason Pritchard
Deputy John Tomlinson
Oliver Sells QC (Ex-Officio Member)
Yianni Andrews (Royal Society for the Protection of Birds)
John Beyer (Heath & Hampstead Society)
Councillor Richard Cornelius (London Borough of Barnet)

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
Paul Maskell	-	Leisure and Events Manager, Hampstead Heath
Gerry Kiefer	-	Department Business Manager, Open Spaces Department
Declan Gallagher	-	Operational Service Manager
Kristina Drake	-	Media Officer, Town Clerk's Department
Mark Jarvis	-	Head of Finance - Citizen Services, Chamberlains
Andrew Cusack	-	Principal Lawyer, Comptroller & City Solicitors
Leanne Murphy	-	Town Clerk's Department

1. APOLOGIES

Apologies were received from Caroline Haines, Chris Byers and Pam Hampshire

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

There were none.

3. **ORDER OF THE COURT OF COMMON COUNCIL**

Members received the Order of the Court of Common Council dated 15 April 2021 appointing the Committee and approving its terms of reference.

4. **ELECTION OF CHAIRMAN**

In accordance with Standing Order No.29, the Committee proceeded to elect a Chairman for the ensuing year. The Town Clerk stated the Members that had expressed an interest and Anne Fairweather, being the only Member expressing her willingness to serve, was duly elected as Chair.

The Chair thanked Members for their support and took the opportunity to welcome new Members Jason Pritchard and Pam Hampshire to the Committee and thanked Deputy Edward Lord and Ruby Sayed for their contributions.

5. **ELECTION OF DEPUTY CHAIRMAN**

The Committee proceeded to elect a Deputy Chairman in accordance with Standing Order No. 30. The Town Clerk stated the Members that had expressed an interest and William Upton, being the only Member expressing his willingness to serve, was duly elected as Deputy Chairman.

The Chair thanked the outgoing Deputy Chairman for her invaluable knowledge and experience that she provided to the role and these thanks were echoed by other Members.

6. **APPOINTMENT OF SUB COMMITTEES, CONSULTATIVE COMMITTEES AND GROUPS AND REPRESENTATIVES ON OTHER BODIES**

Members considered a report of the Town Clerk regarding appointments to Committees and Groups for 2021/22.

RESOLVED, that:-

- The terms of reference and composition of the Hampstead Heath Consultative Committee be noted;
- The terms of reference and composition of both the Highgate Wood Consultative Group and the Queen's Park Consultative Group be approved;
- The Chair and Deputy Chairman to be appointed to the Hampstead Heath Consultative Committee.
- John Tomlinson be appointed to the Highgate Wood Consultative Group, and the further two vacancies be deferred until the next meeting of the Grand Committee for appointment;
- John Tomlinson and Karina Dostalova be appointed to the Queen's Park Consultative Group, and the further one vacancy be deferred until the next meeting of the Grand Committee for appointment;

- John Tomlinson be appointed to serve on the Keats House Consultative Committee with the Chair to also attend in an ex officio capacity;
- The Chair be appointed to attend to observe Open Spaces and City Gardens Committee meetings in an ex officio capacity.

7. **MINUTES**

RESOLVED, that the public minutes of the meeting held on 24 February 2021 were approved as a correct record.

8. **OTHER MINUTES**

8.1 **Hampstead Heath Consultative Committee**

The draft public minutes of the Hampstead Heath Consultative Committee (HHCC) meeting held on 19 April 2021 were received.

8.2 **Highgate Wood Consultative Group**

The draft public minutes of the Highgate Wood Consultative Group (HWCG) meeting held on 21 April 2021 were received.

8.3 **Queen's Park Consultative Group**

The draft public minutes of the Queen's Park Consultative Group (QPCG) meeting held on 21 April 2021 were received.

9. **FRONT LINE WORK UPDATE**

Members were informed that the Senior Swimming Facilities Supervisor was unable to attend and would provide an update at a future meeting.

10. **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:

- The Superintendent advised that the main issue for staff was the coronavirus response, and they were currently planning for the 21 June lifting of restrictions. It was hoped that Government would provide further guidance ahead of the move to Step 4 of the Roadmap out of Lockdown.
- With regards to Annual Work Programme (AWP) project work, Members were advised that the Conservation and Ecology AWP presented at the last meeting had been reviewed with a focus on recovery and Officers sought support for three annual projects which were approved.
- A Member noted that the updated Drones Guidance did not contain wording which explicitly sets out that the use of drones is prohibited in most circumstances. Members asked if the updated Guidance could be reviewed further to clarify the City Corporation's position on drone usage on Hampstead Heath.
- Officers advised that the Comptroller plus legal Counsel were working

with the Epping Forest Division on prospective injunction orders following anti-social behaviour last summer. It was noted that the High Court was not prepared to grant injunctions against persons unknown without evidence of an imminent threat during summer 2021. Officers awaited feedback from the Epping Forest Court application.

- A Member was supportive of a Delegated Authority and enquired if rough sleeping and the use of drones could be included in the injunction.
- Most Members, particularly the Deputy Chairman, were not supportive of injunction orders against persons unknown. Members agreed they should only use powers in instances of genuine need and regarded the High Court's recent decision as a clear case against the decision.
- Members did not support the recommendation to grant Delegated Authority to the Town Clerk, in consultation with the Chair and Deputy Chairman of the Committee, to approve the application for the Interim Injunction Order.
- The Superintendent drew Members attention to the London Borough of Camden's consultation concerning proposals to install Dockless Bike Hire and Cycle Parking Bays on roads bordering Hampstead Heath. Members were supportive of the initiative.
- Officers confirmed they had been approached by Camden regarding an initiative for a caterpillar scheme in cycle bursts. This was discussed at the recent HHCC meeting who were cautious and requested further information about how the scheme would work.
- A Member noted that in other parts of London, Local Authorities had started closing streets to vehicle traffic during school hours and encouraged this method as an effective way to encourage people to take exercise to and from schools.
- A Member highlighted that there was a difference between cycling and walking, and that mass cycling was radical when the Heath did not have appropriate cycle routes.
- The Superintendent clarified that the proposal put forward by the London Borough of Camden related to primary school children only. The priority remains to support the provision of the highway network around the Heath. Discussions with Camden were in early stages and the proposals would need to be piloted in the first instance. Members were concerned the scheme would increase cycling on busy paths on the Heath.
- Members were updated on the proposal to develop the Sports Forum to form the new Hampstead Heath Sports and Wellbeing Forum and changes would include a larger membership with a focussed strategic agenda. The Hampstead Heath Sports and Wellbeing Forum would be launched in July 2021.

- The Chair felt the changes would make the Forum more productive and would enable strategic forward planning but highlighted that the changes would be kept under review. Members were supportive of the changes.
- With regards to the Professional Dog Walking Licence Scheme, it was noted that there was a typo and appendix 8 should say appendix 9. It was noted that the terms and conditions had been amended following feedback from Professional Dog Walkers.
- The Chair noted that she had received correspondence from members of the public and Professional Dog Walkers.
- A Member noted that Professional Dog Walking was a widespread issue with strongly held views on both sides. The Member felt the current number was the right balance. Members supported the recommendation.
- The Superintendent updated Members on the following planning application:
 - **Jack Straws Castle (2020/1828/P).** Members were supportive of the approach taken by Officers with regards to protecting the Heath from development encroachment.
 - **Murphy's Yard.** Officers were arranging for a workshop with the developers to look at the plans and confirmed local Stakeholders would also be invited.
 - **55 Fitzroy Park (2018/3672/P).** A decision had not been determined, and Officers remained concerned by the drainage.
- With regards to events, a Member noted that ParkRun had publicly criticised Local Authorities for being unduly bureaucratic and hoped the Corporation were assisting to get ParkRuns back up and running.
- The Chair explained that the sequencing of sports varied throughout the year and was hard to plan. In the case of the ParkRun, the organisers had proposed a start date which did not align with the Government's framework. It was agreed having safe events was the priority. Officers will continue to liaise with the event organisers regards a safe return of ParkRun events across the City Corporation's Open Spaces.
- The Queen's Park Manager provided an update on the Queen's Park Sandpit project. Members supported delegated authority to help progress the project through the Gateway process.

RESOLVED – That Members:-

- Members approve the Hampstead Heath Annual Work Programme Projects for 2021/22 (appendix 1);

- Members approve the Highgate Wood Annual Work Programme Projects for 2021/22 (appendix 2) and the Highgate Wood Divisional Plan 2021/24, (appendix 10);
- Members agree the Queen's Park Annual Work Programme Projects for 2021/22, (appendix 3) and Queen's Park Divisional Plan 2021/24, (appendix 11);
- Members agree to retain the current four dog limit for Professional Dog Walkers and to support the implementation of the Licencing Scheme as set out in paragraphs 35-41;
- Grant Delegated Authority to the Town Clerk in consultation with the Chair and Deputy Chairman of the Committee to approve the Queen's Park Sandpit Capital Project Gateway 2.

11. HAMPSTEAD HEATH BATHING POND AND LIDO ANNUAL REPORT 2020-21

Members considered a report of the Director of Open Spaces concerning the Hampstead Heath Bathing Ponds and Lido Annual Report 2020-21.

Member noted the remarkable achievement to open up the ponds as soon as they could and implement necessary safety requirements.

The Chair highlighted that the 2020/21 fees and charges, agreed by the Committee on 11 March 2020, predated the National Lockdowns.

With regards to the legal challenge received by the City Corporation, a Member stated that the Corporation needed to make savings and would have to make concessions in other ways, e.g. closures, if charging was not an option.

The Corporation had tried hard to maintain the level of service, and the review of the 2019 season looked at safety and the whole operation. Only charging would allow for this ever-popular service to continue.

RESOLVED – That Members:-

- Members approve the Hampstead Heath Bathing Pond and Lido Annual Report 2020-21 (appendix 1);
- Members agree the proposal to re-introduce swimming tests at the Bathing Ponds as set out in para 4;
- Members agree the proposals to retain the current Free Morning Swim arrangements, as set out in para 6;

- Members agree the proposals to retain the current Season Ticket arrangements and to undertake a further review as set out in paras 8 and 9;
- Members agree the proposal for free and discounted swimming opportunities as set out in para 11.

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

Members considered a report of the Director of Open Spaces concerning Hampstead Heath, Highgate Wood and Queen's Park's Risk Management.

Officers noted an error in paragraph 11 which included a replication of risk 004 and instead of stating risk 002.

RESOLVED – That Members:-

- Note the report;
- Approve the Hampstead Heath, Highgate Wood and Queen's Park Risk Register (Appendix 2).

13. HAMPSTEAD HEATH TRUSTEES ANNUAL REPORT AND CONSOLIDATED FINANCIAL STATEMENTS FOR THE YEAR ENDED 31 MARCH 2020

Members considered a joint report of the Chamberlain and Director of Open Spaces presenting the Hampstead Heath Trustee's Annual Report and Consolidated Financial Statements for the Year ended 31 March 2020 in the format required by the Charity Commission.

Officers confirmed over £6.2m of City's cash was used to support the Charity during this financial year. It was noted that in April, the Finance Committee approved changes to the financial regulations meaning charities were now able to ringfence funds for their own projects. The Chair was pleased as this would open up opportunities for the Heath.

RESOLVED – That the Trustee's Annual Report and Consolidated Financial Statements for 2019/20 be noted.

14. HIGHGATE WOOD & QUEEN'S PARK KILBURN TRUSTEES ANNUAL REPORT AND FINANCIAL STATEMENTS FOR THE YEAR ENDED 31 MARCH 2020

Members considered a joint report of the Chamberlain and Director of Open Spaces presenting the Highgate Wood & Queen's Park Kilburn Trustee's Annual Report and Consolidated Financial Statements for the Year ended 31 March 2020 in the format required by the Charity Commission.

Officers confirmed over £1.3m of City's cash was used to support the Charity during this financial year and that fundraising had already begun.

RESOLVED – That the Trustee’s Annual Report and Consolidated Financial Statements for 2019/20 be noted.

15. REVENUE OUTTURN 2020/21 - HAMPSTEAD HEATH, HIGHGATE WOOD AND QUEEN'S PARK

Members considered a joint report of the Chamberlain and Director of Open Spaces comparing the revenue outturn for the services overseen by the Committee in 2020/21 with the final agreed budget for the year. In total, there was a better than expected budget position of £130,000 for the services compared with the final agreed budget for the year.

Officers confirmed there was a Directors local risk marginal overspend by £3k which would be subsumed in the overall underspend.

In response to a query concerning rents for cafés and whether support for them during the pandemic had an impact on the overall figures, Officers confirmed it did impact but it was a difficult situation. Support had also been given to the NHS via temporary additional parking arrangements at East Heath Car Park. The Superintendent acknowledged the huge amount of work undertaken by Managers and the North London Division Team to reduce spend and increase costs to achieve a budget almost on target.

Members commended the Superintendent and North London Division Team for their hard work throughout the year to maintain services, plus the support from the wider City Corporation.

RESOLVED – That this revenue outturn report for 2020/21 is noted.

16. REPORT OF ACTION TAKEN

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

RECEIVED.

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

There were none.

18. ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT

The Chair advised the Committee that after 30 years at the Corporation, the Superintendent was retiring and would be leaving in August 2021, ahead of the next meeting of the Committee. Members gave sincere thanks to the Superintendent for all the great work he had achieved during his tenure and stated he would be greatly missed.

The meeting ended at 5.35 pm

Chairman

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