



## Hampstead Heath Consultative Committee

**Date:** MONDAY, 18 MAY 2020

**Time:** 5.30 pm

**Venue:** VIRTUAL PUBLIC MEETING (ACCESSIBLE REMOTELY)

**Members:** Karina Dostalova (Chairman)  
Anne Fairweather (Deputy Chairman)  
Ray Booth (Barnet Mencap)  
Nick Bradfield (Dartmouth Park Conservation Area Advisory Committee)  
John Etheridge (South End Green Association)  
Mathew Frith (London Wildlife Trust)  
Cindy Galvin (Heath Hands)  
Colin Gregory (Hampstead Garden Suburb Residents' Association) Michael Hammerson (Highgate Society)  
Dr Gaye Henson (Marylebone Birdwatching Society)  
Sharlene McGee (Leonard Cheshire Disability)  
Helen Payne (Friends of Kenwood)  
Thomas Radice (Heath and Hampstead Society)  
Harunur Rashid (Black and Minority Ethnic Communities representative)  
Susan Rose (Highgate Conservation Area Advisory Committee)  
Steve Ripley (Ramblers' Association)  
Ellin Stein (Mansfield Conservation Area Advisory Committee & Neighbourhood Association Committee)  
Richard Sumray (London Council for Recreation and Sport)  
Simon Taylor (Hampstead Rugby Club)  
David Walton (Representative of Clubs using facilities on the Heath) John Weston (Hampstead Conservation Area Advisory Committee) Simon Williams (Vale of Health Society)

**Enquiries:** Leanne Murphy / [leanne.murphy@cityoflondon.gov.uk](mailto:leanne.murphy@cityoflondon.gov.uk)

### Accessing the virtual public meeting

Members of the public can observe this virtual public meeting at the below link  
<https://youtu.be/nzHB7NiKvRM>

:

**John Barradell**  
**Town Clerk and Chief Executive**

# **AGENDA**

## **Public Agenda**

1. **APOLOGIES**
2. **DECLARATIONS BY MEMBERS OF ANY PERSONAL AND PREJUDICIAL INTERESTS IN RESPECT OF ITEMS ON THIS AGENDA**
3. **MINUTES**  
To agree the public minutes and summary of the meeting held on 9 March 2020 (copy attached).  
  

**For Decision**  
(Pages 1 - 14)
4. **COVID-19 UPDATE**  
  

**For Discussion**
5. **SWIMMING UPDATE**  
  

**For Discussion**
6. **QUESTIONS**
7. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT**
8. **DATE OF NEXT MEETING**

## HAMPSTEAD HEATH CONSULTATIVE COMMITTEE Monday, 9 March 2020

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, 9 March 2020 at 7.00 pm

### Present

#### Members:

Karina Dostalova (Chairman)  
Anne Fairweather (Deputy Chair)  
John Etheridge (South End Green Association)  
Mathew Frith (London Wildlife Trust)  
Michael Hammerson (Highgate Society)  
Dr Gaye Henson (Marylebone Birdwatching Society)  
Thomas Radice (Heath and Hampstead Society)  
Susan Rose (Highgate Conservation Area Advisory Committee)  
Ellin Stein (Mansfield Conservation Area Advisory Committee & Neighbourhood Association Committee)  
Richard Sumray (London Council for Recreation and Sport)  
Simon Taylor (Hampstead Rugby Club)  
David Walton (Representative of Clubs using facilities on the Heath)  
John Weston (Hampstead Conservation Area Advisory Committee)

#### In attendance:

Tim Jones	-	Facilitator, Orato Consulting Ltd
Nicky Mayhew	-	Kenwood Ladies' Pond Association
Robert Sutherland-Smith	-	United Swimmers Association
Chris Piesold	-	Highgate Men's Pond Association
Emma Rae	-	Parliament Hill Lido User Group
Mike Sands	-	Mixed Pond Association

#### Officers:

Colin Buttery	-	Director of Open Spaces
Bob Warnock	-	Superintendent of Hampstead Heath
Declan Gallagher	-	Operational Services Manager
Richard Gentry	-	Constabulary and Queen's Park Manager
Paul Maskell	-	Leisure and Events Manager
Kate Radusin	-	PA to Superintendent of Hampstead Heath
Jennifer Wood	-	Communications Officer
Andrew Buckingham	-	Media Officer, Town Clerk's Department
Leanne Murphy	-	Town Clerk's Department

### 1. APOLOGIES

Apologies were received from Steve Ripley, Ray Booth, Cindy Galvin (represented by Dr Merlin Fox), Colin Gregory (represented by Maria Schlatter), Harunur Rashid, Helen Payne (represented by Nick Fielding), Simon Williams and Sharlene McGee.

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

There were none.

3. **MINUTES**

The public minutes of the meeting held on 27 January 2020 were approved as a correct record subject to an amendment of a comment that reflected the wrong speaker.

4. **HAMPSTEAD HEATH, HIGHGATE WOOD AND QUEEN'S PARK COMMITTEE MINUTES**

The public minutes of the Hampstead Heath, Highgate Wood and Queen's Park Committee (HHHWQPC) meeting held on 22 January 2020 were received.

5. **OUTSTANDING ACTIONS**

Members noted the various outstanding actions and the update provided thereon.

With regards to action 2, Members were advised that that the Superintendent was liaising with the PTA to assist with finding a local school representative.

Concerning action 2, the Superintendent stated that preliminary conversations had happened. It was noted that Members would be asked to review applications for some events at the next meeting including the English National Cross-Country Championships

6. **HAMPSTEAD HEATH SWIMMING REVIEW 2020**

The Committee considered a report of the Director of Open Spaces concerning the Hampstead Heath Swimming Review 2020 setting out the improvements required to address health and safety issues, visitor access, rapidly increasing demand and presenting options to secure the long-term financial sustainability of the Bathing Ponds. The following comments were made:

- The Chairman stated that a comprehensive review of swimming was deemed necessary following a second very busy summer season at the Heath and the tragic fatality on 1 June 2019. The City Corporation had received guidance from the Health and Safety Executive (HSE) and set in motion a plan of positive action.
- A review of the summer season was instigated in October 2019, reviewing the significant pressures the lifeguards were facing and looking at changes for implementation for summer 2020 to ensure a sustainable model for the future. A full review was brought to the Swimming Forum in January kickstarting a series of discussions with the Swimming Associations. The Chairman thanked the Swimming Association Chairs and the swimming community for their time and dedication.
- All feedback from this meeting would be captured in the minutes and circulated to the Hampstead Heath, Highgate Wood and Queen's Park

Committee (HHHWQP) ahead of their meeting on Wednesday 11 March 2020.

- The Superintendent noted that there were a number of issues including Duty of Care to staff and lifeguards, responding to the increasing demand for cold water swimming and ensuring the facilities remain inclusive and welcoming. Through the discussions common ground has been achieved on the additional health and safety arrangements.
- The Superintendent confirmed that a model has been prepared which sets out the subsidy for swimming at the Bathing Ponds. This informs the range of options on charges.
- The Town Clerk confirmed written correspondence from 126 people had been received regarding the Swimming Review. In addition, a letter from local MP Tulip Siddiq was received and the Chairman responded offering a meeting to discuss the issues concerned.
- Position statements were made by the Chairs of five Swimming Associations as follows:
- Chris Piesold - Highgate Men's Pond Association  
*In 10 years framed as efficiency savings, the Heath and pond spend in real terms has been continuously cut. Thus, the problem is not just the increase in numbers and HSE requirements - it also results from cuts. We are told the City seeks to secure the long-term financial sustainability of the Ponds and the press has been briefed that only 4% of swimmers pay. The truth is a casualty here.*

*The brutal reality is the City will continue to cut its support for both the Heath and swimming and expects the swimmers to make up the difference if current access to the ponds is to be maintained. The real questions before you are can this gap be best made up without compulsion or is enforcement more likely to work.*

*The plan to enforce charging will test the inclusion narrative. The Men's "facility" is still not compliant with 25-year-old disability legislation - and enforced increased charges will broaden the classes of exclusion. The ancient Lifebuoys will lose access to their clubhouse on busy days, the nude sunbathers and the gay community will be charged for access their compound and this discrimination will fan the flames of negative publicity. The poor, the dispossessed, vulnerable, the old, the mentally ill, many too disorganized to apply for the hardship fund will be excluded.*

*The plan to enforce payment risks protests, adds overhead, will create law and order problems, and likely fail because of the very short implementation planned. Because the heath workers and swimmers are not on board and the timeframe very short such rapid change will be traumatic and brutal.*

*Option 2 mitigates many of these risks. Less change to manage less stress for staff. The non-swimming and vulnerable will retain access. Evidence suggests most swimmers are willing to pay and some are willing to make substantial donations. You can't currently become a friend of the ponds or make donations at the lido or online. Gift-aid is not exploited and there is no contactless payment. A rapid revolution in systems, culture and cash management is required for both options and at this stage with this timetable why risk Armageddon now when you can phase it in if necessary.*

- Robert Sutherland-Smith – United Swimmers Association

*The are ghosts here tonight. Those of John Gurney Hoare and those others who saved Hampstead Heath as what economists call a 'free good'. Gurney Hoare the Quaker banker a local man who might well have been on a body such as this, were he still with us. Take you moral lead from him ladies and gentlemen.*

*Ironically, the spirit of Sir Thomas Marion Wilson seems to live on in the City Corporation. As Helen Lawrence says in her history of the Heath, he was obsessed with money; the same may be said about the City Corporation today, despite the fact that the net asset value of City's Cash is around £2.7billion – up from 16% from £2.3billion three years earlier.*

*Recall that the City shamefully wanted to close the ponds to swimming, shortly after taking over the management – to save money. The Hansard debates on the 1871 Hampstead Heath Act, refer to a 'sacred duty to the people and the poor' over the 'privileged few'. This is exactly what is at stake here tonight; the essence and spirit of the prevailing Section 12 of the Hampstead Heath Act which requires the Heath to be kept unenclosed.*

*The City clearly supports the 'favoured dew' over the poor. Yet the Heath is ringed by food banks. There is one in Pratt Mews; another in Chalk Farm, yet another in Hackney. Poverty is the cause the Heath and the Ponds have been philanthropically free for nearly 150 years. Why neither the Metropolitan Board of Works, the LCC or the GLC ever sought money for swimming in its ponds. The City does not need to employ the 1967 Parks Act, that unreasonably urns the ponds into a municipal swimming pool; it merely chooses to do so!*

*London rents are twice the national average the cheapest rents rising fastest. 2.3 million Londoners within the definition of poverty, despite half actually being in work; the hard pressed at which compulsory charging is cruelly aimed; the antithesis of the spirit of the prevailing purpose of S12 of the 1871 Act; the cancellation of freedom, kindness community and philanthropy by an organisation that can clearly afford to preserve it. with net assets of £2.7billion that have been growing at over 5% compound.*

*'Our mission is to reduce inequality for a London that serves everyone'. Where does that come from? The City Bridge Trust! Does one hear the word hypocrisy whispered, soon to be a shout?*

*The reputation of the City of London will be in shreds. It has ignored the advice of the Local Government Association for 6 weeks minimum consultation time; reneged on its undertaking to the Hampstead Heath Act; shown uncharitable disposition towards the hardest pressed Londoners, and evidence a cynical lack of interest in the philanthropic solution of Option 2 proposed by swimmers. The so-called consultation on enforced charging specifically has lasted for only 10 days, has been an example of sharp practice and manipulation. If the City think the Café debacle in 2016 was damaging, they 'aint seen nothing yet, folks'.*

- Nicky Mayhew – Kenwood Ladies' Pond Association

*The ponds are world-famous as an essential part of the beauty of Hampstead Heath. People may swim in them, but they are NOT sports facilities. Each has its own history and culture, and they inspire poetry, literature, songs and films. People don't write books about swimming pools or leisure centres.*

*Each pond supports a unique community. Everyone – old, young, rich, poor – is included. Stripped to our essentials, we are all equal. The Ponds film vividly captured swimmers' joys and sorrows, as well as the support the ponds lend to both physical and mental health, principles at the heart of the Heath Vision.*

*One swimmer writes:*

*'Given the huge increase in numbers of people swimming over the last few years I support the introduction of charges, but I feel immensely concerned that rigid enforcement and exclusion of women who cannot pay will feel shaming.*

*Exclusion would also risk having a massively detrimental impact on the physical and mental wellbeing of women who depend on regular pond swimming. For some more than others the pond is part of staying alive.*

*I work in mental health and am reminded every day how cuts to health services are impacting on people's wellbeing. The ponds offer a way of achieving wellbeing. I am also aware, as someone who was, many years ago, a victim of sexual violence, just how essential both the pond community and the habitat are for recovery from trauma.'*

*She's right. The Ladies' Pond and its meadows can be a place of refuge for victims of violence and abuse. It offers a unique single sex space for women and girls to relax, including those from faith groups that demand modesty. It is unthinkable that the City would exclude people in need of sanctuary who could not afford the price of admission.*

*In response to this consultation we surveyed the user groups and found that 80% think the current charges are fair and 24% already buy a season ticket, but nearly 70% said increased charges would reduce their ability to swim.*

*The Equality Analysis in your documents shows that Option 2 was signed off by senior managers on 24 February, yet Option 3 was recommended to the Sports Forum just two days later.*

*With Option 2 and charges at current levels you are pushing at an open door. Season ticket sales are already soaring and, if you make it easier to pay, cultural change will bloom.*

- Emma Rae (on behalf of Chair Dr Eleanor Kennedy) - Parliament Hill Lido User Group

*The Parliament Hill Lido User Group represents about 400 regular and seasonal swimmers, many of whom also enjoy the peace and tranquillity of pond swimming at the three other swimming facilities on Hampstead Heath throughout the year.*

*The lido has always had a different culture to the bathing ponds in that people swimming there have to pay a mandatory charge to enter. We are given many different options for doing this – not just payment in cash or card but, in recent times, also contactless payments using a credit or debit card and, of course, the very popular option of a season ticket which provides exceptionally good value for money.*

*It is of interest that similar facilities for payment have never been afforded to the bathing ponds despite the sheer numbers of people who swim there.*

*We feel that, if similar facilities were introduced to encourage easy and quick voluntary donations to be made by the people accessing the bathing ponds, that the Corporation of London would witness a very substantial and sustainable increase in the amount of money taken at these facilities. Indeed, we understand that since an online facility for so doing was introduced, there has been a statistically very significant upswing in the number of season tickets being purchased which clearly illustrates that, if there is a simple provision to pay, payment will be made.*

*Under the custodianship of the Corporation of London, the entry costs for the lido have been frozen for the next calendar year.*

*By similarly freezing the suggested contribution of £2 at the ponds, we believe that, rather than drive a substantial and, perhaps, permanent, wedge between the Corporation of London and those of us who love the swimming facilities of the Heath, we can all work together collegiately and respectfully to meet in a common ground between the historic free swimming for all ethos and the draconian measures to enforce payment now being suggested by the Corporation of London.*



*It is my hope that the cogent and passionate addresses from my counterparts at the ladies pond, the men's pond and the mixed pond this evening will inspire the Corporation of London to work with us rather than against us and foster a new era of true partnership with our swimming associations and groups.*

- Mike Sands – Mixed Pond Association

*We accept that a change is needed to help pay for the extra lifeguards. All we are asking is that the change is carefully managed. We have consulted our members and we urge you to support Option 2 - to adopt applied charges, supported by Heath Rangers who have been briefed to support the culture of the Ponds, by building on existing practices at the Mixed and Ladies Ponds.*

*The problem is that the City have tossed this Option aside without a trial and advised you that: "The current Self-Policing model has not proved an effective mechanism to collect the approved charges." We offer different advice.*

*A membership survey we conducted at the end of February showed that 75% of the 1,000 regular swimmers who responded are willing to pay the present charges. The reason the current self-policing model has been ineffective is because the City has failed to provide an effective mechanism to collect the present charges and has made a complete mess of the associated explanatory signage.*

*At present there are only two ways in which swimmers can try to contribute to the costs of the lifeguards: the first by Donation - or placing cash in a 'contribution' post on site. But there is no signage to explain what they are. Failure to empty the posts every day has often resulted in the donations being stolen. In the Men's Pond there is a sign inviting visitors to become a Friend of the Ponds and a phone number is given. Calls to that number are unanswered. One of our members went to the Lido last week to make a donation and was turned away.*

*Our survey has shown that the scope for online donations by swimmers is massive. This assertion is supported by the experience of the National History Museum who report that proactive experimentation and a strong partnership has resulted in contactless donation forming an average of 22% of their donations since 2017, generating a 64% rise in donation income.*

*The second method of paying is to put two one-pound coins into a converted parking meter at the site entrance. No change or receipt is given and for most of the time the meters do not work.*

*It's relevant to note that from 1 April 2020 cash will no longer be accepted in car parks on the Heath. The payment machines are being removed as they, to quote the City, "are expensive to maintain and outdated" and "the money to maintain them would be better spent managing the Heath".*

*The only other way to make a payment is to buy a season ticket. Until 2019, this had to be done in person at Parliament Hill Lido. With little advanced publicity, an online payment system was introduced in 2019 but, after making a purchase online the season-ticket holder does not receive a season ticket, or even a receipt for their payment. The only way to get their ticket or receipt is to go to the Lido.*

*So, the reason the City has failed to reach its annual revenue target of £80,000 is because the City has failed to provide an effective payment mechanism. The Minutes of the Swimmers Forum record our pleas for the City to make payment easier and more secure. For four years these pleas have been ignored.*

*Instead, the City is recommending Option 3 - to adopt applied charges, managed by paying up to 6 additional Heath Rangers to oversee and ensure payment. This doesn't make sense – didn't another part of the City that looks after car parks on the Heath just decide that "money could be better spent on managing the Heath" and to use Pay by Phone. A tie-in with the Pay by Phone car-parking system could work but phone signals at the Men's and Ladies' ponds are poor or non-existent. Despite these difficulties, we are assured that cashless payment systems will be ready by 2 May.*

*The City have also recommended that you increase swimming charges from £2 to £4. It looks like this is the result of benchmarking with the Lido. But, the two experiences are incomparable, the service provided is completely different. The Lido has treated water, hot showers and access to a Cafe and Sauna. The ponds are muddy, wild and untamed. I repeat the point made by Chris that the £4 charge has been derived from a calculation dividing Target Revenue by an out-of-date and inaccurate baseline of 300,000 annual visitors to the Ponds.*

*The City have proposed concession arrangements for over 60s and under 16s which ignore the fact that people in these groups are often only able to swim because they are accompanied by parents or carers outside these age brackets, who would not be allowed free access.*

*Until now, the Ponds have always been a happy and supportive community made up of swimmers and their lifeguards, who are helped by Heath Rangers. Option 3 will spoil this by turning the Heath Rangers into overseers of an ineffective payment mechanism. If Option 3 is imposed it is highly likely that the Rangers will be routinely exposed to the type of threats and abuse that they experienced last Summer when attempting to manage the queues of occasional swimmers trying to force entry into the Lido and Ponds.*

*Another likely consequence of Option 3 is that swimmers will use other entry points to the Swimming Ponds or be displaced to other ponds on the Heath, which are dangerous or designated to wildlife.*

*In summary we urge the Committee not to rush things, be sensible and choose Option 2, leaving all charges at the current rates. Cultural change is in progress, season ticket sales are booming, the potential for on-line donations is immense. We want to continue to work in partnership with the City to boost revenue and improve and sustain the beauty of the ponds we love.*

- The Town Clerk read correspondence received from two Members unable to attend the meeting. The first (Hampstead Garden Suburb Residents' Association) felt that the recommended Option D was reasonable on the face of it noting the £4 adult charge would still be at the lower end of charges by other authorities in London for outdoor swimming facilities, but requested more context from the Heath perspective concerning the Local Risk budget and comparative figures of those using the swimming facilities compared to other facilities and how much of the budget do these use up.
- The second conveyed the Vale of Health Society's view that, at least for 2020, Option 2 at current rates, should be trialled as until it is it cannot be known how much revenue it would raise, and it seems reasonable to assume it will, if done properly and efficiently, raise a great deal. Only if Option 2 fails, should Option 3 be preferred.
- A Member (London Council for Recreation and Sport) confirmed that the Swimming Review was discussed at the Sports Advisory Forum on the 24 February 2020. Whilst there was not opposition to many of the changes being proposed, it was the mechanism by which the City Corporation was proposing to adopt the changes to achieve its endpoint, i.e. payment by swimmers, that was being challenged and the Member felt that users needed to be given the opportunity to see if they would pay at the current rate (Option 2). If the volume of payments did not sufficiently increase after improvements to signage and payment options, then the Member supported moving to Option 3. It was felt that subsidy to swimming was different to other sports and would need to remain subsidised. However, the significant increase in costs around the health and safety issues should not be paid for at the expense of other sports.
- Determining the subsidy was the starting point and there was a strong sense that a lot of the technical issues, i.e. contactless payment points and signage, should take place before any changes are implemented. The need for change was recognised whilst respecting the long standing and highly valued nature of the Bathing Ponds.
- The Member put forward 11 recommendations to be considered by the Committee:
  - 1) The recommendations from the Health and Safety Executive are implemented.

- 2) The HHCC accepts that this will entail costs of swimming in the ponds on Hampstead Heath will rise by up to £314,000.
  - 3) The impact on the budget for Hampstead Heath will be significant and should not be borne by a reduction of spend on other sports that are subsidised.
  - 4) The HHCC recognises also that the balance of subsidy to swimming in the ponds is out of kilter and needs to be reduced. It notes that the voluntary charges have not increased since 2005 and that the income from those charges is insufficient.
  - 5) The HHCC further recognises that swimming in indoor or outdoor pools or in areas that are supervised will always need to be heavily subsidised but that, in the case of the ponds should be reduced to between 40 and 50%.
  - 6) Before changes are made to the prices charged, all the infrastructure needed at the ponds, including signage and the improvements necessary to enable paperless payments to be made and to provide better information should be completed.
  - 7) HHCC supports Option D on the level of subsidy proposed but in recognition of the absence of accurate data at this time proposes that the charge rates remain unaltered for 2020/21 and reviewed again for 2021/22. HHCC also proposes that in future, following decisions made on prices in 2021/22, any price rises should be incremental rather than sudden after no changes for a number of years.
  - 8) For the next year 2020/21, HHCC recommends Option 2 is followed. This means that Heath Rangers would support the culture of payment. We would hope that this would be supported also by the various Swimming Associations.
  - 9) If the subsidy level is not reducing to below 50% by March 2021, provided that the technical and physical improvements have been sufficiently bedded in, we recommend that Option 3 is adopted whereby Heath Rangers would oversee and ensure payment.
  - 10) On concessions the HHCC supports Option C proposed by the Officers. In so doing it also supports the moves by the Corporation to request the City Bridge Trust to support those who genuinely are unable to pay the new rates.
  - 11) The HHCC requests that the income beyond what would cover the increased costs of implementing the HSE recommendations is retained by Hampstead Heath and used, especially, to improve the sports and recreation offer.
- A Member (Highgate Conservation Area Advisory Committee) noted that their Committee had a long meeting to discuss the review and, with full understanding of the extra expense, agreed that payment could not be avoided as hard finance underpinned everything and the HSE recommendations were essential. It was accepted that pressure on ponds in last two summers was intolerable and that people should not be swept away by poetic fantasies. The Committee almost came to a

position for option 2 if it could work, but felt that hard reality must be faced, and the gap could not continue to grow at the expense of other activities at the Health due to the over indulgence of swimming groups.

- In response to a question from a Member (Mansfield Conservation Area Advisory Committee & Neighbourhood Association Committee) regarding the legality of people swimming outside lifeguarded hours if they signed indemnity contract, Members were informed that this had been discussed at many meetings and there was a model in place for the Winter Swimming Club at the Hampstead Mixed Pond which is controlled by a licence agreement. The Superintendent confirmed this could be explored under option 5, but feedback from the Swimming Associations indicated that this was not preferred. The City Corporation's Duty of Care towards swimmers would not be sufficiently addressed by a signed waiver.
- With regards to non-lifeguarded swimming during evenings/early mornings, it was confirmed that only members of a Swimming Club could do this, and this would go against inclusivity for all.
- A Member (South End Green Association) felt that swimmers should pay to avoid subsidy from other areas. However, considering all information and views, the Member was concerned if Option 3 was immediately enforced that the City Corporation would "miss a trick" as the data numbers were not accurate, and the volume of contributions not properly tested. Trialling Option 2 first while the new system was put in place was favoured to avoid negative publicity.
- A Member (Marylebone Birdwatching Society) agreed the City Corporation needed to "get its house in order" concerning signage, payment options and telling people about voluntary payments to see what happens. It was recommended that the charges should be retained at the current rates and reviewed after a year to avoid antagonising the swimming community.
- The Heath and Hampstead Society's views had not changed following its position presented at the last HHCC meeting. It was noted that the Society was disappointed that their recommendation urging the Corporation to carry out a PR campaign last year was not launched. They were not persuaded to move to Option 3 unless there was an immediate trial and assessment of Option 2 first to avoid disenfranchisement. However, the additional cost to implement the safety improvements should be met by swimmers. It was questioned whether Option 3 derogated S.12 of the Hampstead Heath Act to keep the Heath unenclosed. Members were advised that only Option 4 proposed an enclosed gate for the Ponds.
- It was noted that the entrance to the Kenwood Ladies' Pond did not notify users regarding payment and the other ponds did not show this clearly on their signage. Members were reminded that the HHCC and

Swimming Associations approved the current signage when it was updated in 2018.

- A Member (Hampstead Rugby Club) noted that the Club Training nights were instigated on a trial basis and recommended that Option 2 be trialled to collect data and then change to Option 3 if this did not work out. The Chairman stated that Officers were aware that they did not have accurate swimming data which needed to be addressed and saw the review as an opportunity to address this.
- A Member (South End Green Association) observed that users expected to pay and were often confused when they visited the Ponds and it appeared that they did not have to pay due to the lack of clear signage. A trial of option 2 at the current rate was therefore recommended and any subsequent increase in fees should be index linked to inflation.
- Enforcement was identified as the key issue and a Member (Friends of Kenwood) did not feel that the City Corporation had the facilities to enforce payment of all users. It was agreed that this would need to be managed carefully and be consistent and proportionate. Option 2 was therefore recommended.
- A Member (Highgate Society) felt that users would pay if the charges were reasonable and easy to pay and did not agree with the City Corporation rushing into compulsory payments after 15 years without a trial of option 2 first. It was felt that if all swimmers paid £2 this would cover all associated costs. It was recommended that Option 2 was trialled for a year and reviewed if this did not work.
- In response to a query concerning how the projected income figures were worked out, the Superintendent confirmed that visits (not swims) were based on beam breakers for someone entering the facilities. It was noted that users entering through the back gate at the Kenwood Ladies' Pond were not captured. Members were informed that data from two years ago was used as extreme weather events had impacted the visitor figures in last two years. The Superintendent highlighted the desire for better data and systems to record both the bathing load and facility load.
- A Member (Representative of Clubs using facilities on the Heath) agreed that changes were needed but acknowledged that a culture of swimming had developed at the Heath over 150 years and a move straight to Option 3 will irreversibly change this culture. It was asserted that the City Corporation generally carried out trials elsewhere and the Member recommended again following this principle whilst the detail and infrastructure changes were implemented.
- A Member (Highgate Society) highlighted the excellent management of the Heath and hoped the City Corporation had learnt from the issues experienced during the Ponds Project.

- A Member (Friends of Kenwood) suggested looking at other ways of fundraising, e.g. creating literature for legacy gifts, bequests and endowments.
- To provide context, the Deputy Chair stated that as an elected Member it was important to reflect on the City's position. All elected Members at Wednesday's HHHWQP Committee meeting would have to balance their decision as part of a bigger picture and City Corporation's funding commitments across a spectrum of areas including culture, education, housing, philanthropic causes and support for charities, and funding for other Open Spaces, of which Hampstead Heath already received a large proportion of the budget. Members would need to consider how the Heath were bringing in income to help sustain the Bathing Ponds.
- There was a general view by Members to test revenue at the current pricing before increasing costs as the estimated income was not robust enough. Members considered it to be imperative to ensure the physical infrastructure was installed to make payments easier and allow for accurate data to be collected. It was believed that Option 2 would achieve this and had the support of local swimmers. Members recommended reviewing the income from charges next year and if Option 2 had not generated enough income, make a decision to increase ticket costs or implement Option 3.
- With regards to the timescale for setting up new infrastructure, Members were advised that implementation of new infrastructure would be phased to cover all of the changes and improvements required by the review but it was hoped that payment technology would be set up for 2 May 2020 (start of summer season). If this was not possible, a temporary solution would be deployed until the technology was ready.
- The Chairman thanked the Committee and Swimming Association Chairs for sharing their views which would all be conveyed to the HHHWQP Committee. It was confirmed that whatever option was decided, the City Corporation's aim was not to generate income for profit but to reinvested into ponds.
- The Chairman confirmed that she would put forward the clear view from the HHCC for Option 2. Following the decision, a Swimming Forum meeting would be arranged for April to share the outcomes and look at the next steps ahead of summer season.

**RESOLVED** – that:-

- Members note the outcomes of the Swimming Review;
- 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 11 March 2020;

7. **QUESTIONS**

There were none.

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

There was no urgent business.

9. **DATE OF NEXT MEETING**

The date of the next meeting on 20 April 2020 at 7.00pm was noted.

**The meeting ended at 8.30pm.**

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Chairman

**Contact Officer: Leanne Murphy**  
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