

HAMPSTEAD HEATH, HIGHGATE WOOD AND QUEEN'S PARK COMMITTEE
Wednesday, 11 September 2019

Minutes of the meeting of the Hampstead Heath, Highgate Wood and Queen's Park
Committee held at Parliament Hill Conference Room, Parliament Hill Staff Yard,
Parliament Hill Fields, Hampstead Heath, NW5 1QR on Wednesday, 11 September
2019 at 3.00 pm

Present

Members:

Karina Dostalova (Chairman)
Anne Fairweather (Deputy Chairman)
Mark Bostock
Michael Hudson
Wendy Mead
Deputy John Tomlinson
John Beyer
Adeline Siew Yin Au

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
Edward Wood	- Chief Solicitor, Comptroller & City Solicitors
Graham Nickless	- Senior Accountant, Chamberlain's Department
Declan Gallagher	- Operational Services Manager
Yvette Hughes	- Business Manager Hampstead Heath
Gerry Kiefer	- Business Manager, Open Spaces Department
Karyn Burnham	- Deputy Head of Facilities Management, City Surveyors
Abigail Tinkler	- Head of Learning, Open Spaces Department
Carl Locsin	- Media Team, Town Clerk's Department
Leanne Murphy	- Town Clerk's Department

1. APOLOGIES

Apologies were received from Rachel Evans, Councillor Thomas Gardiner, Councillor Richard Cornelius, Oliver Sells QC, Graeme Smith, Deputy David Bradshaw, Alderman Prem Goyal and William Upton QC.

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 5 June 2019 were approved as a correct record.

4. OUTSTANDING ACTIONS

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

Members were advised that Action 1 would be carried over to the November meeting.

With regards to Action 2, the Chairman advised that the Town Clerk sought legal advice concerning the request to change to the Committee's Terms of Reference to include a disability representative. In principle, there were no legal reasons preventing a dedicated disability representative to the Committee and Officers agreed to progress with this addition and begin looking suitable charities to approach.

Concerning Action 4, the Chairman confirmed that the Committee's views regarding the City of London Corporation Sport and Physical Activity Strategy were expressed through the further consultation process. It was noted that the Strategy would be discussed at the upcoming Hampstead Heath Sports Advisory Forum meeting and the Corporate Strategy Manager would be in attendance.

A motion would also be put forward at the Court of Common Council meeting the following day concerning the City Corporation's commitment around sport and physical engagement and the Chairman welcomed support from Members attending Court.

The Chairman advised that Action 5 was complete and that a response from English Heritage had been received confirming they noted the responses to consultation and would not be supporting a memorial in the proposed location in Kenwood. Members were pleased with this outcome.

5. HAMPSTEAD HEATH CONSULTATIVE COMMITTEE MINUTES

The draft public minutes of the Hampstead Heath Consultative Committee meeting held on 8 July 2019 were received.

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:

Management Framework

- Members were advised that the Measurement Framework had been embedded into the Hampstead Heath Management Strategy 2018-2028 and would be the next area of focus for the Superintendent.

City Surveyor's Cyclical Work Programme

- The Superintendent highlighted current projects within the Cyclical Work Programme including the Heath Extension changing rooms and public

toilets. A planning application for the refurbishment of the Parliament Hill public toilets has been submitted to the London Borough of Camden.

East Heath Car Park (A DP5)

- The Superintendent advised that the project had reached Gateway 5 but was now frozen due to the Fundamental Review. It was noted that there would be an opportunity to bid for capital funds in November based on a criterion of five set characteristics and the Open Spaces Department was currently prioritising all of its capital projects.
- The Director of Open Spaces stated that the majority of capital bids were currently on hold and the Department was keen for all projects with health and safety implications to be prioritised. All cases put forward in the annual bidding round would be based on a strong business case.
- Members were concerned that by the significant risks of rain on the East Heath Car Park and agreed that pressure was needed to ensure this project was completed as a matter of urgency.
- The Chairman and Deputy Chair highlighted the need for projects with health and safety to be prioritised as leaving them had potential reputational and liability concerns for the City Corporation. The Chairman requested clarity on the bidding process.
- A Member cautioned against the reliance on classifying projects as having health and safety implications noting that this was the Health and Safety at Work Act. He regarded most of these concerns as public liability or safety issues and recommended seeking legal advice when preparing bidding cases.
- It was noted that the Chairman of the Policy and Resources Committee had stated that necessary projects should not be held up. The Chairman agreed to clarify with the Chairmen of the Projects Sub Committee, Resource Allocation Sub Committee and Finance Committee what the next steps were for funding projects.

Planning

- **Jack Straws Castle 2017/2064/P, 2017/2211/L, 2017/2171/P.** Members were advised that the developer had withdrawn their appeal.
- **North Fairground Site 2017/4346/P.** The Superintendent advised that the Public Enquiry would be recommenced on 3 October 2019. The Applicant's request to submit additional evidence was rejected.
- **South Fairground Site.** It was noted that the Public Inquiry had been concluded and all parties were awaiting the Inspector's decision.

- **55 Fitzroy Park 2018/3672/P.** Members were advised that the case was ongoing, and the City Corporation had submitted a representation concerning the impact of the development adjacent to the Heath.
- **The Water House, Millfield Lane. 2017/3692/P.** The Superintendent advised that a decision concerning the representation submitted against the construction of a boundary fence was still to be determined.
- **Jack Straws Castle – change of use application.** The Superintendent advised that he would be meeting the Headteacher the following day to discuss the change of use application.
- **Athlone House.** Members were advised that a new, more suitable gate design had been submitted following the City Corporation's representation against the original elaborate design.
- In response to a query regarding wayleave agreements, the Superintendent confirmed that this would be reviewed. Members felt that a payment of £10 per year was not enough and suggested increasing this to £25-50 per year in line with other Local Authorities.
- A Member thanked the City Corporation who were an unsung hero for the significant work they do protecting the Heath from ongoing development issues.

Grazing

- Members were advised that the grazing trial was a success receiving positive feedback and publicity. A review would take place and inform future grazing projects on the Heath.
- The Superintendent gave thanks to the project partners, the Heath & Hampstead Society, Mudchute Farm, the Rare Breeds Survival Trust, Heath Hands and Historic England.

Swimming

- The Superintendent stated that there was increasing pressures on the Team during extreme weather events, which was having knock on effects when the ponds and Lido were operating at capacity.
- The Chairman thanked all staff and lifeguards for their hard work and noted the email sent to Members providing an update on the significant pressures at the Heath over the summer months.
- The Deputy Chair did not see the issues as unique to the Heath and requested that Members receive a lessons learnt update to support staff.

- In response to a query regarding the leak at the Lido, the Superintendent that the gel treatment of the pipes had not worked and options for excavation and resealing were being considered by the City Surveyor.

Heath Extension Meeting Room

- The Superintendent sought Members thoughts on how to progress with the Heath Extension meeting room proposing that the space be let to local sports clubs in the short term followed by wider consultation for long term use and income, e.g. a tea hut or sports offer.
- The Chairman queried whether consultation with the community should encompass the wider provision of sports facilities across the Heath. This would link to the projects identified in the Asset Management Plan or whether this should remain an independent work stream.
- Members supported that the room be let on a temporary basis to ensure the City Corporation was receiving an income straight away and for a decision to be made long term following consultation.

Playgrounds

- The Superintendent advised that a planning application had been submitted for the Adventure Playground. The planning application for the refurbishment of the Vale of Health and Preachers Hill Playgrounds was being finalised.

Events

- The Chairman congratulated the Events Team on a successful year of events. The Night of the 10,000m Personal Bests was highlighted as a key international event for the Heath noting that next year it would be used as the trials for the Olympics.

Waste & Recycling

- Members were advised that new bins were being introduced in a phased process following the huge volume of waste during June and July. It was noted that the behaviour of the public was monitored, and introduction of three separate recycling streams had led to much less contamination.
- The next focus for Team was messaging and communications for the public visiting the Heath to take their rubbish home. The Chairman suggested engaging with local press concerning the waste issues to publish a story.

30th Anniversary

- The Chairman advised that all Members were invited to attend a tree planting to celebrate 30 years of the City Corporation's custodianship of

the Heath would take place on 12 October 2019 during the HHCC walk.

- The Chairman noted that a Freedoms ceremony would take place before the close of the year presenting nominated people with close connections to the Heath with the Freedom of the City.

Queen's Park

- The Chairman was disappointed that the Public Toilet and Sandpit Refurbishment projects had been put on hold due to the Fundamental Review after over two years of planning and saw this as an unacceptable reputational risk. The Chairman agreed to discuss this project with the relevant Committee Chairmen.
- Members were advised that Queen's Park Day would take place on Sunday 15 September 2019 and were encouraged to attend.

Oak Processionary Moth (OPM)

- The Deputy Chair was pleased to note that OPM nests had significantly reduced from the previous year and commended the pest management operations of the Tree Team.
- The Director of Open Spaces stated that the Forestry Commission have been providing messaging on the management of OPM across London and the pilot study and change of method trialled at the Heath had been a success story.

RESOLVED – That:-

- Members agree the proposed phases for the future use of the meeting room on the Heath Extension (paragraphs 27-28);
- The Chairman to liaise with the Chairmen of the Projects Sub Committee, Resource Allocation Sub Committee and Finance Committee regarding the next steps for funding capital projects.

7. LARGE & MAJOR EVENT APPLICATIONS FOR HAMPSTEAD HEATH

Members considered and approved a report of the Superintendent of Hampstead Heath in relation to two major events: The Affordable Art Fair and the Highgate Harriers Night of 10,000m Personal Bests.

Members were advised that each of these events has been assessed by the Officer Event Group and considered by the Hampstead Heath Consultative Committee. Members regarded both as key, well established events in the Hampstead Heath events calendar.

RESOLVED: That:-

- Members of the Hampstead Heath, Highgate Wood and Queen's Park Committee approve the Affordable Art Fair 2020 event (appendix 1);
- Members of the Hampstead Heath, Highgate Wood and Queen's Park Committee approve the Highgate Harriers Night of 10,000m Personal Bests 2020 event (appendix 2).

8. **HIGHGATE WOOD AND QUEEN'S PARK CAFÉ UPDATE**

Members considered and approved a report of the Superintendent of Hampstead Heath providing Members with an update on the tendering of the Highgate Wood Pavilion and the Queen's Park Cafés.

Members were advised that the new tender process ensured that the best opportunity was found for the community. The Queen's Park Manager confirmed that there had been interest in bidding for the lease and that Groundwork London had been appointed to undertake user consultation and engagement. The outcome of the engagement would inform the tender process with an aim for a new tenant by spring 2020. A temporary option would be in place during the winter months.

A Member recommended that as part of the negotiations it was preferable to offer a reduced rent during the establishment phase rather than a rent-free period.

RESOLVED – That Members agree the revised tendering timeline, as set out in Para 9.

9. **ANNUAL UPDATE**

Members considered and approved a report of the Superintendent of Hampstead Heath concerning the Annual Update for 2018-19.

Members were advised that the annual update was a commitment from the Management Strategy agreed by the Committee in November 2018. This detailed the progress made during its first year and set out the priorities for 2019-20.

It was noted that development of a Management Framework was in progress and HHCC Members had provided feedback on the draft at their last meeting. members were happy with the draft wording.

RESOLVED – That Members approve the Annual Update 2018–2019.

10. **BREXIT PLANNING**

Members received a verbal update from the Director of Open Spaces concerning Brexit planning.

Members were advised that the City Corporation had three priorities: 1) to represent and promote the best interests of the City; 2) to continue to deliver its statutory duties and 3) to ensure the continued success of the organisation.

The Director of Open Spaces confirmed that the City Corporation was carrying out significant work on an operational and Departmental level in preparation for Brexit. With regards to the Open Spaces Department, work was ongoing with DEFRA to ensure a continuance of working across the City Corporation's Open Spaces and safeguarding EU grants that were previously agreed.

In response to a query concerning potential delays in equipment, materials, spaces, etc, caused by no-deal Brexit, Members were advised that there were weekly Chief Officer meetings which included discussions regarding supply lines, vehicles, fuel supply, etc, and there had been fundamental preparation and emergency planning to cover all eventualities of Brexit. It was noted that it was difficult to prepare for something that was uncertain.

11. **THREE-YEAR REVIEW OF THE OPEN SPACES DEPARTMENT'S 'GREEN SPACES, LEARNING PLACES' PROGRAMME**

Members received a report of the Director Open Spaces providing Members with a review of the Open Spaces Department's three-year (2016 to 2019) learning programme delivering learning, play and volunteering opportunities to local children and adults at Hampstead Heath, West Ham Park, Epping Forest and Queens Park. This review provides a measure of success against the original ambitions of the programme and the lessons learnt that will inform the future programme.

Members were pleased that funding had been secured to continue this programme. The Deputy Chair suggested inputting into local Boroughs and other forums to expand and gain wider acknowledgement of this important work.

RECEIVED.

12. **CYCLICAL WORKS PROGRAMME BID - 2020/21**

Members received a report of the City Surveyor concerning the Cyclical Works Programme Bid for 2020/21.

Members were advised that the draft cyclical project list for 2020/21 totalled £778,200 but £144k was added following consultation to keep up with statutory inspections. The Chairman added that HHCC Members had noted that all the statutory inspections were not included and had now been added to the list.

RECEIVED.

13. **OPEN SPACES DEPARTMENTAL BUSINESS PLAN 2018/19 - YEAR END PERFORMANCE REPORT**

Members received a report of the Director of Open Spaces providing Members with a review of the Open Spaces Department's delivery of its 2018/19 Business Plan.

Members were advised that progress had been made against the Department's fifteen programmes and projects and that performance against the 31 performance measures was comparable with previous years and only 19% of

targets were missed by more than 10%. It was noted that there was a £13k overspend across the total local risk budget of £12million.

RECEIVED.

14. **QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**
There were no questions.
15. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT**
There was no other business.
16. **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 of business on the grounds they involve the likely disclosure of exempt information as defined in Part I of Schedule 12A of the Act.
17. **NON-PUBLIC MINUTES**
RESOLVED, that the non-public minutes of the meeting held on 5 June 2019 were approved as a correct record.
18. **NON-PUBLIC QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**
There were two questions.
19. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT AND WHICH THE COMMITTEE AGREE SHOULD BE CONSIDERED WHILST THE PUBLIC ARE EXCLUDED**
There were no urgent items.

The meeting ended at 4.59 pm

Chairman

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