

<b>Committee:</b> Hampstead Heath, Highgate Wood and Queen's Park Committee	<b>Dates:</b> 11 March 2020
<b>Subject:</b> Hampstead Heath Extension, Consultation on use of premises (Annex Room)	<b>Public</b>
<b>Report of:</b> Director of Open Spaces	<b>For Decision</b>
<b>Report author:</b> Richard Gentry	

## Summary

This report provides to Members an update and the outcome of an engagement and consultation process regarding the use of the Hampstead Heath Extension Annex Room that is attached to the public toilet building as shown as the blue dot on the map (Appendix 1).

## Recommendations

Members are asked to:

- Provide feedback on the report findings (Appendix 2).
- Members approve the recommendation to proceed with a tender for the lease of the Annex Room as a refreshment kiosk, as set out in para 22.

## Main Report

### Background

1. An engagement and consultation process be undertaken to consider the future options for the use of the Hampstead Heath Extension Annex Room. The findings of this engagement and consultation process are attached (Appendix 2).
2. As agreed by this Committee, the space has been available to hire as a meeting room on a temporary basis whilst a longer-term solution is developed. The space has recently been used by a local Sports Club.
3. The Annex Room had previously been used by the London Natural History Society (LNHS) for field meetings and the storage of materials and journals.
4. The City of London Corporation (Open Spaces) Act 2018 was passed in March 2018. The introduction of this Act gives the City Corporation the opportunity to let unused premises in certain circumstances. Before granting a lease, the City Corporation are obliged to consult such persons or bodies as it thinks appropriate.

5. A rental income received from the leasing of this Annex Room will be reinvested to support the costs of managing Hampstead Heath.

### **Current Position**

6. A Consultant was appointed to carry out a user engagement and consultation. An online user questionnaire and pop up events were used as part of the consultation process.
7. Pop-up user engagement events took place at the Heath Extension on:
  - Wednesday 23 October 2019, 9am - 12pm
  - Saturday 26 October 2019, 1pm - 4pm
8. These events were publicised through social media and on-site posters. 110 people attended the pop-up events and 67 comments were left. The overall response to the engagement and consultation process was largely positive with 72% of questionnaire respondents stating that they would use a refreshment kiosk.
9. Of the comments received at the pop-up events, 'general' comments largely responded directly to the concept of a refreshment kiosk.
10. A Member of the Hampstead Heath Consultative Committee suggested that there was a lack of facilities on the Heath Extension and welcomed the addition of a kiosk over a café. It was acknowledged that local Sports Clubs would welcome a provision which was affordable, and provided a simple refreshment offer on match days.
11. When asked in the online questionnaire, what are the two main reasons you would visit a refreshment kiosk? Over half of respondents (59%) chose 'buy a tea or coffee' as one of their main reasons for visiting a potential kiosk.
12. 54 respondents (35%) would buy a tea or coffee to drink at the kiosk, while 37 would buy a hot drink to take away (24%). While 17 people chose to buy a snack to eat at the kiosk (11%), 12 chose to buy a snack to take away (8%). 16 people also said that they would come to a refreshment kiosk to socialise with friends or family (10%). 'Before or after an event' (8 people/ 5%), 'for a meal' (7 people/ 5%) and 'as an alternative location to work from' (2 people/ 1%) were the options chosen the least. Fresh fruit juice and smoothies were also selected widely. Breakfast pastries (15%), hot and cold snacks (18%), healthy options (13%) and cakes (11%) came out as the most popular food options. Hot and cold meals made up 9% of responses.
13. When asked what type of food options you would like to be sold from a refreshment kiosk 'Breakfast pastries' and 'hot snacks' came out on top with 17% of the votes, each chosen by 24 people. The second most popular options were 'sandwiches/ cold snacks' and 'cooked breakfasts', chosen by 14 people each (10%).

14. An online questionnaire was published and the link to this questionnaire was shared with stakeholders. A copy of the questionnaire is attached (Appendix 2). The questionnaire was available between 23 October – 20 November 2019, and 607 responses were received.
15. Headline findings following the user engagement and consultation exercise are:
  - There is strong support for a refreshment kiosk on the Hampstead Heath Extension,
  - A refreshment kiosk should be sympathetic to the 'wild' and 'peaceful' character of the Heath Extension,
  - A refreshment kiosk should cater to the needs of a range of Heath Extension user groups,
  - A refreshment kiosk should provide a simple, healthy high quality and affordable offer.
16. The engagement process revealed users' aspirations for an environmentally friendly catering offer.
17. At the Hampstead Heath Consultative Committee meeting on 27 January 2020, a Member (Hampstead Garden Suburb Residents' Association) was concerned that a refreshment kiosk would create an environmental impact and noted that they would only support a flagship environmentally friendly kiosk. It was suggested that furniture should be non-permanent, e.g. could be put away at night and the annex room be used to display information about the Heath.
18. Concerns regarding extra rubbish and commercialisation were raised during the feedback from the pop-up events and at the Hampstead Heath Consultative Committee meeting. There was no clear consensus on an alternative use for the building, the most popular alternative use offered through the process was a meeting space for community groups, suggested seven times.
19. Of the 67 comments received at the pop-up events, eight (7%) responded negatively, citing commercialisation, vermin and health risks as reasons for being against this proposal.
20. A report summarising the findings of the user engagement and consultation is attached (Appendix 2).
21. The Superintendent has recently met with the Café Working Group to discuss the outcome of the consultation. The group were supportive of the proposal and stressed the importance of sustainability outcomes in relation to waste and recycling, minimising plastics and the use of "keep cups" to reduce the environmental impact. The group also stressed the importance on minimising deliveries to the facility.

## **Proposals**

22. Taking account of the feedback from the engagement and consultation, and Members views, it is recommended that Members approve the proposal to

proceed with a tender for a refreshment facility and granting a lease under the City of London Corporation (Open Spaces) Act 2018, Section 6.

### **Corporate & Strategic Implications**

23. Hampstead Heath is a registered charity, for which the City of London Corporation is the Trustee. The purpose of the charity is the preservation of Hampstead Heath for the recreation and enjoyment of the public. As Trustees, Members must take decisions in the best interests of the charity. It is considered that provision of a refreshment facility at the Annex Room would enhance the enjoyment of Hampstead Heath for recreation and enjoyment of the public.
24. The provision of refreshment facilities would provide income that contributes to the maintenance of the Heath, and cafés/kiosks must be let on the best terms that can reasonably be obtained for the charity, in order to comply with the duties of the Trustee. However, the cafés/kiosks are also fundamentally part of the experience provided to users and Members may consider the wider social and environmental benefits that this kiosk will bring to the Heath Extension.
25. Section 6 of the City of London Corporation (Open Spaces) Act 2018 generally allows the letting of buildings for any period not exceeding 15 years. Members must have regard to the desirability of ensuring that the service or facility is provided to a satisfactory standard throughout the duration of the lease. Before granting a lease, the Members must consult such persons or bodies as it thinks appropriate. Part II of the Landlord and Tenant Act 1954 (which provides security of tenure for commercial tenancies) does not apply.
26. The letting of the vacant premises at Hampstead Heath contributes towards the achievement of the three aims set out in the City of London Corporation Corporate Plan 2018-23: Contribute to a flourishing society, Support a thriving economy and Shape outstanding environments, in particular the following Corporate Plan outcomes:
  - (4) Communities are cohesive and have the facilities they need.
  - (5) Businesses are trusted and socially and environmentally responsible.
  - (10) We inspire enterprise, excellence, creativity and collaboration.
  - (12) Our spaces are secure, resilient and well maintained.
27. It also meets the three objectives and outcomes of the Open Spaces Department Business Plan 2019-20: (a) Open spaces and historic sites are thriving and accessible, (b) Spaces enrich people's lives and (c) Business practices are responsible and sustainable.
28. The provision of a catering offer from the Hampstead Heath Extension Annex Room will contribute to the Hampstead Heath Management Strategy 2018 – 2028 outcomes; to protect and conserve the Heath; the Heath enriches lives; the Heath is inclusive and welcoming; together we care for the Heath.
29. A communications plan will be prepared to keep visitors informed throughout a tendering process.

## Implications

30. Previously, the tender of the Hampstead Heath Cafés, in particular the Parliament Hill Fields Café and the Refreshment House, Golders Hill Park generated extensive media interest. Officers will liaise with the City of London Corporation, Media Team and inform and update stakeholders throughout the tender process.
31. The appropriate consents will need to be sought in regard to Planning Permission.

## Legal

32. Section 6 of the City of London (Open Spaces) Act 2018 enables the City Corporation to let a building to a person with whom the Corporation has entered into arrangements to provide a service or facility (where the City Corporation could itself have used the building to provide the service or facility). (The City Corporation would have power to use buildings to provide refreshment)<sup>1</sup>

## Finance

33. This facility has not previously been commercially let; therefore this proposal provides the opportunity to generate additional income to support funding of the Hampstead Heath Charity.

## Conclusion

34. Following a user engagement and consultation process there is strong support for a refreshment kiosk on the Hampstead Heath Extension.
35. The engagement process revealed aspirations for an environmentally friendly offer. A refreshment kiosk should strike a balance, enhancing the enjoyment of the space without affecting the naturalness and tranquillity that makes it so special and unique.

## Appendices

- Appendix 1 – Map of the location of the Annex Room, Hampstead Heath Extension.
- Appendix 2 – Consultation Report.

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<sup>1</sup> Section 7 Ministry of Housing and Local Government Provisional Order (Greater London Parks and Open Spaces) 1967