

Committee(s): Hampstead Heath Consultative Committee	Date(s): 26 September 2022
Subject: Assistant Directors Update	Public
Which outcomes in the City Corporation's Corporate Plan does this proposal aim to impact directly?	1, 2, 3, 4, 5, 11 & 12
Does this proposal require extra revenue and/or capital spending?	No
If so, how much?	N/A
What is the source of Funding?	N/A
Has this Funding Source been agreed with the Chamberlain's Department?	N/A
Report of: Executive Director, Environment	For Discussion
Report author: Stefania Horne, Assistant Director	

Summary

This report provides Members with an update on matters relating to Hampstead Heath since May 2022.

Recommendation

Members are asked to:

- Provide feedback on the report.

Main Report

Management Framework

1. An update on Sub-Divisional Plan 2022-25 projects is attached (appendix 1) for information.

Capital Projects

2. A "project on a page" summary has been prepared in relation to the Swimming – Safety, Access and Security Capital Project (appendix 2) and the Parliament Hill Athletics Track resurfacing Capital Project (appendix 3).

Events

3. Recent events include:
 - Race for Life (18 June 2022)
 - Kite Festival (26 June 2022)
 - Give it a Go (16 July 2022)

4. Upcoming events:

- 19th Annual Conker Championships (9 October 2022)
- London Youth Games (20 November 2022)

Constabulary Update

5. With extreme temperatures being witnessed across the country, the focus during the summer for the Hampstead Heath Constabulary has been fire safety and security. With an increased risk of wildfires, the Constables have proactively engaged with members of the public, reminding visitors not to have bonfires or barbecues on Hampstead Heath. Staff were equipped with fire fighting back packs and vehicle drawn bowsers.
6. The Metropolitan Police, in partnership with the City of London Corporation and the London Borough of Camden (Community Safety Team) ran a week long operation on Hampstead Heath, Parliament Hill Fields during the summer. The purpose of the operation was to provide public reassurance, especially at a time when parks and open spaces are becoming busier with an increased footfall. The Park Manager can provide a verbal update on the outcomes of this operation.

Judicial Review Outcome

7. A challenge to the charging policy at the Ladies' Pond was heard at the High Court on 22-24 February 2022. The case, *R (Efthimiou) v The Mayor and Commonalty and Citizens of the City of London*, was brought by a disabled swimmer who contended that the charging policy unlawfully discriminated against her. The thrust of the challenge was that disabled persons as a class were financially worse off than non-disabled persons, and that the charging policy (even with concessionary rates) created significant barriers to their ability to swim.
8. Judgment was handed down on 23 June 2022. The Court held that the charging policy, under which disabled swimmers receive a 40% discount on single swims and season tickets, did not breach the duty to make reasonable adjustments for disabled persons, and was not indirectly discriminatory towards disabled persons. The root problem was a lack of disposable personal income, and all those of limited income, whatever their circumstances, were catered for under the charging policy by the same concession.
9. The Court held that, as a general principle, charging for leisure facilities was fundamentally fair and reasonable. On the facts, the charges were modest and compared favourably with charges at other similar facilities. The Court also held that the claim did not fall within the ambit of Article 8 of the European Convention on Human Rights (Right to respect for private and family life) or Article 1 of Protocol 1 (Protection of property).

Ponds & Wetlands Conservation Plan

10. Conversations with the Hampstead & Highgate Angling Society and swimmers are in progress to re-open float fishing at the men's bathing pond north bank. Fishing was suspended 5 years ago after an accident with a swimmer that was injured with fishing equipment. New measures have been put in place to separate the area from the swimming area and officers are in conversation with all stakeholders to make sure the right balance is achieved in using the pond for different activities.
11. Works are planned to create a dedicated area for dog bathing at the Hampstead pond number 2. Dogs can access the pond in various areas and they are not sufficiently controlled to protect wildlife on site. By creating a dedicated area and with clear signage and natural barriers it is hoped that access can be controlled better.
12. The recent hot weather generated an increase of algal blooms in the ponds when water levels are falling and water flow through the chain is negligible. A network of floating aerators have been used to improve oxygen levels in the water and where necessary additional 'splash pumps' have been used to keep the algae controlled and maintain a good level of oxygen in the ponds.

Gift Aid

13. The project is progressing well and still on track to have a fully functional gift aid option for donors by April 2023 in line with the incoming tax year. This schedule includes contingency time noting the lengthy processes to set up bank accounts and registering with HMRC. We are also still reviewing the possibility of using a 3rd party, such as Just Giving or CAF, who will then organise our Gift Aid donations, reducing the administrative workload on officers. A project on a page update for Gift Aid is attached at appendix 4.

Queen's Green Canopy

14. The Queen's Green Canopy (QGC) is a tree planting initiative created to mark Her Majesty's Platinum Jubilee in 2022. The QGC invites people from across the United Kingdom to "Plant a Tree for the Jubilee". As such, the City of London Corporation has become actively involved with the QGC activities, including Education and Conservation. A report was submitted to the Open Spaces & City Gardens Committee on 7 July ([\(Public Pack\)Agenda Document for Open Spaces and City Gardens, 07/07/2022 10:00 \(cityoflondon.gov.uk\)](#)) setting out a request from the incoming Lord Mayor via the Remembrancer's Office to find a location within Hampstead Heath to plant 33 trees, to represent each of the London Boroughs.
15. The proposed tree species and planting locations have been carefully selected to maximise the opportunities for the trees to flourish whilst promoting nature recovery and biodiversity:

Hampstead Heath Extension: a group of 11 Italian Elms (*Ulmus pumila* hybrid) which are Dutch Elm Disease resistant, to be planted along the pathway leading

across the cricket field to replace the native elms that succumbed to Dutch Elm Disease.

Kenwood Nursery Yard: a group of up to 11 traditional orchard apple and pear trees, to be planted within the hazel coppice compartment. Up until the outbreak of the Second World War this site was a commercial orchard producing significant produce. This will increase the conservation and the education value of the area.

Tumulus Field east of the Tumulus site: up to 11 native oak trees (*Quercus robur*) to be planted to mark the lost field boundary and increase the nature conservation value of existing hedges. The trees will be planted in twos and threes to achieve the most 'natural' effect.

16. This will be a great opportunity for the Heath to engage in a national scheme; host a large event; welcome the incoming Lord Mayor and encourage children and volunteers to get involved with the tree planting efforts. Full funding is provided for this project by the Town Clerks Department. A map is included at Appendix 5.

Good News

17. The fundraising total for the Heath Extension Playground has been reached. Planning approval for the proposed changes at the Heath Extension has been granted and contractors have been appointed. Works are planned to start on site in the autumn.
18. Hampstead Heath has been successful in obtaining a Green flag award for 2022. The Heath is also taking part in the a 2022 London in Bloom awards. The results are due to be announced on 21 September.
19. The London Cricket Trust has confirmed funding for improvements of the cricket facilities at Parliament Hill, the Heath Extension, and at Highgate Wood. A Stakeholder engagement will commence in the autumn to scope the details of the works. The improvements include new nets and artificial cricket squares.
20. A partnership project with the Royal Free Hospital is being scoped to provide cancer patients a view of the Heath via a video link. Officers are still assessing the feasibility of the camera installation and the viability of the proposal. Funding for implementation is provided by the Royal Free Hospital.
21. From 15 – 31 August, Hampstead Heath hosted the 'Green City' outdoor exhibition at the East Heath entrance. Developed by London Metropolitan Archives, the exhibition highlights the essential role played by London's parks and open spaces in the lives of Londoners. From playgrounds and picnics to concerts and Sunday football kickabouts, Green City: A Visual History of London's Parks and Open Spaces celebrates green spaces and the way in which Londoners have embraced and enjoyed the 'great outdoors' since the sixteenth century. Following its successful run on Hampstead Heath, where it was enjoyed by thousands of people during the last two weeks of the summer holidays, it can

be seen at The View in Epping Forest's Visitor Centre from 1 – 18 September 2022.

22. Works have started on creating the new pond at the bottom of Judge's Hollow, to the west of Whitestone Pond. The project is community led, with the Reddington Froggnal Association partnering up with the City of London, and funding raised for an excellent exhibition earlier this year at Burgh House, celebrating the return of what was once the subject of several Constable landscape paintings. The new pond has been inspired by a Constable painted nearly 200 years ago, and has been designed specifically for wildlife. It is hoped that the clay lined pond will be completed along with some marginal planting next spring.

Corporate & Strategic Implications

23. The projects and works outlined in this report contribute towards the achievement of the three aims set out in the City of London Corporate Plan 2018-23: Contribute to a flourishing society, Support a thriving economy and Shape outstanding environments.
24. The projects and works outlined in this report contribute towards the achievement of the Hampstead Heath Management Strategy 2018-2028 Strategic Outcomes A: The Heath is maintained as a flourishing green space and historic landscape, B: Improved quality of life for Heath visitors, C: The Heath is inclusive and welcoming to a diverse range of visitors and D: Greater number of and diversity of People taking care of the Heath.

Financial Implications

25. Donations are currently being sought for the following project:
 - Model Boating Pond Island - wildlife sanctuary (£50,000). The Trees and Conservation Officer and Heath Ecologist are also drafting an application to the London Wildlife Trust's Rewilding London Fund for works to install additional reed beds and protect the island at the Model Boating Pond. £6,153.00 has currently been raised towards this project.
26. We have recently reached the funding total (£5,000) for the bird and mammal shelters project.
27. Donations can be made via the City of London website: <https://www.cityoflondon.gov.uk/things-to-do/green-spaces/hampstead-heath/donate-to-hampstead-heath>

Resource Implications

28. Staff resources are being prioritised to keep the sites open, safe, accessible and secure.

Climate Implications

29. Included within the Sub-Divisional Plan 2022-25 are a series of projects which contribute towards achieving the City of London's Climate Action Strategy, which was launched in October 2020. A key part of the strategy is conserving and enhancing biodiversity alongside reducing carbon emissions. The Climate Action

Strategy will be embedded into future strategies which are currently being drafted within the Natural Environment Division.

Legal Implications

30. Contained within the body of this report.

Risk Implications

31. Risks are monitored and recorded through the Hampstead Heath Charity Risk Register.

Equality Implications

32. No impact.

Security Implications

33. Security implications are monitored and recorded through the Hampstead Heath Charity Risk Register.

Appendices

- Appendix 1 – Sub-Divisional Plan 2022-25 (August update)
- Appendix 2 – Project on a Page (Swimming Capital Project)
- Appendix 3 – Project on a Page (Athletics Track Capital Project)
- Appendix 4 – Project on a Page (Gift Aid)
- Appendix 5 – Queen's green canopy tree planting

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