

<b>Committee(s):</b> Hampstead Heath, Highgate Wood, and Queen's Park Committee	<b>Dated:</b> 22 October 2024
<b>Subject:</b> Hill Garden Pergola update	<b>Public</b>
<b>Which outcomes in the City Corporation's Corporate Plan does this proposal aim to impact directly?</b>	-Vibrant Thriving Destination -Flourishing Public Spaces -Diverse Engaged Communities
<b>Does this proposal require extra revenue and/or capital spending?</b>	<b>Yes – revenue and capital</b>
<b>If so, how much?</b>	<b>Capital: Up to £4.162m in capital costs</b>  <b>Revenue: £220k in current Cyclical Work Plan</b>
<b>What is the source of Funding?</b>	<b>Capital: Not yet identified</b> <b>Revenue: CWP</b>
<b>Has this Funding Source been agreed with the Chamberlain's Department?</b>	<b>Capital: No</b> <b>Revenue: Yes</b>
<b>Report of:</b> Katie Stewart, Executive Director of Environment	<b>For Decision</b>
<b>Report author:</b> Bill LoSasso Assistant Director (Superintendent), North London Open Spaces	

### Summary

This report provides updated information about the state of the Hill Garden Pergola on Hampstead Heath. It outlines options to complete the needed capital repairs, as well as cost estimates of the oak framework, supporting columns and attached balustrading on the high-level walkways. A preferred option is identified.

### Recommendation(s)

Members are asked to:

- Approve the options as recommended in paragraphs 21 and 32 of this report.

### Main Report

#### Background

1. The Hill Garden Pergola is located on West Heath and was Grade II\* listed in 1978. It is a beautiful structure consisting of a high-level walkway that is

approximately 250m long, with two sections of stone columns supporting oak framework linked by a bridge over a footpath.

2. It was designed by Thomas H Mawson for Lord Leverhulme, who owned The Hill House, which is now in private ownership. The Pergola was built in three phases from 1905 to 1925. After the death of Lord Leverhulme in 1925, The Hill House was bought by Lord Inverforth, who died in 1955. The Pergola was bequeathed to and used by Manor House Convalescent Hospital, who renamed it Inverforth House. Mawson's association with the Pergola is key to its historic significance.
3. In 1985, the Greater London Council (GLC) purchased the remaining parts of the structure and 1.5 acres of land from the hospital, separating it from Inverforth House. Following the abolition of the GLC in 1986, the London Residuary Body managed the gardens and Pergola for a period of time. The City of London Corporation then took on the management of the Pergola in 1989.
4. After severe storms in 1987 and 1990 caused considerable damage to the colonnades and timbers, the City Corporation undertook essential repair work to the eastern part of the structure.
5. The Pergola comprises two sections, connected by a bridge. (Appendix 1). Section 1, on the eastern part of the structure, has reconstituted stone columns and oak framework along its entire length. The oak framework had two large domes that have been removed due to instability and eight smaller ones remain in place. It has an internal walkway at ground level, along with several internal storerooms. This section was where most of the repairs/restoration was conducted by the City Corporation when ownership was first taken.
6. Section 2, on the western side of the structure, is known as the Colonnade Walkway, with a paved walkway underneath a stone column and oak framework, and stairs into the Hill Garden. It also contains the Belvedere structure consisting of a high-level viewing terrace with amazing views and adjacent open structure with tiled roof. Stairs on either side of the structure lead to ground level, and there are several storerooms underneath.
7. A decision must now be made on how the City Corporation will proceed. Options broadly include continuing to make temporary stabilising repairs for as long as funding permits, Closure, dismantlement, and pursuing a capital project.

### **Current use and condition**

8. As an iconic heritage asset of Hampstead Heath, the Pergola is a popular destination for visitors from near and afar. It is also a sought-after venue for photography, filming, and other events, including weddings, all of which generate much-needed revenue to directly support Hampstead Heath Charity's upkeep of

the Heath.

9. Due to age and weathering, however, the oak frameworks on both sections of the Pergola have been deteriorating for many years. This deterioration has increased in the last couple of years, partly due to a lack of funding, and partly due to the escalation of extreme wet and windy conditions, especially as the Pergola is in an exposed location. Areas of concern include the masonry balustrade, columns, and the extensive timber structure which surmount the pillars.
10. Section 2, the Colonnade Walkway, is the most critically impacted element. The oak framework is now extremely rotten and compromising its overall stability. The reconstituted stone columns are intrinsically linked to supporting the oak timbers, with each element of fabric reliant on the other to remain *in situ*. It is now reaching a stage where all will have to be removed, along with the integral stone columns, if no capital funding is identified.
11. Several repetitive and progressive defects have resulted in parts of the structure being carefully dismantled and placed into storage until repairs are possible and funding is available. Section 1 is also showing signs of deterioration, with the two large domes ('The Temple' and 'Summer Pavilion') both having to be removed at the end of 2022, as following a period of structural monitoring they had been determined to have become a health and safety risk.
12. The rest of the elements that make up the Pergola, i.e. brickwork, paving and walkways, are in reasonable condition. However, they do require constant restoration and repair works to maintain this status, currently funded within the City Surveyor's Department's (CSD) Cyclical Works Programme (CWP). Only health and safety work to the oak framework and supporting columns has been carried out in recent years. Backlog CWP funding that has been allocated will now allow for repair works to the rest of the Pergola, and for the monitoring to continue until the available funds have been expended.
13. Due to the current state of the asset and health and safety concerns, monitoring surveys are now conducted twice a year, or more if the weather conditions have been particularly wet and/or windy. Since c. 2019, the Pergola has been closed to the public and staff during these weather conditions because of the high health and safety risk.
14. The state of the Pergola required a partial closure of the structure – the eastern section of the colonnade - from September 2023 to May 2024. To restore temporary public access, the at-risk elements of the Pergola were propped or stabilised *in situ* with temporary stabilising works. (Appendix 3). Five of the worst columns were pinned at the base with two 450mm steel pins, allowing the section to be reopened to the public on 15 May 2024. Further stabilising works to the stone columns carried out along with additional timbers inserted to the Colonnade Walkway to keep it open and accessible for as long as possible.

15. Regular inspections on those works and their stabilising effects are carried out by an external structural engineer. Additional checks to monitor any further deterioration are performed by Hampstead Heath officers and reported back to the CSD.
16. At present, there are no funds available for the repair and restoration of the Pergola, aside from c. £220,000 that is being used from the CWP to implement the temporary stabilising works, carry out repairs to other elements of the Pergola, and carry out regular structural surveys to allow the structure to remain open to the public and ensure public safety as far as possible. This funding is part of the 'backlog' CWP funding recently approved by Committee, and is to be spent over the next five years.
17. A formal funding bid was considered in 2021, but not progressed due to budget pressures. A capital bid was submitted made in 2022-23, but was not successful. Since then, City Surveyor's Department has continued to maintain structure under its CWP.

### **Impacts to the City Corporation**

18. The Pergola has a long and storied history that is intimately intertwined and runs parallel with the history of the Heath itself. If appropriate restoration works are not undertaken to this statutorily protected asset, it will inevitably deteriorate further. This will risk the structure being added to Historic England's Heritage at Risk Register (HARR), and lead to increased repair costs. Failure to invest in the Pergola may lead to the eventual loss of this irreplaceable historic asset.
19. Further deterioration may require its complete or partial closure or dismantlement. Income from fee-paying activities would then be lost. This is particularly profound, as the Pergola is a unique and iconic setting for potential major film shoots, and NLOS has developed a new partnership with the City Corporation's central Film Office to capitalise on remunerative and appropriate filming opportunities to further support the Heath.

### **Feasibility study**

20. CSD recently commissioned a feasibility study to define a restoration programme, refine costs, and provide options. Due to the heritage status of the structure, specialist advice was required to ensure that it retains its character and that any proposed works meet statutory conservation policy and requirements. The specialist was appointed in June 2024 to produce a feasibility study to provide options for restoring the high-level walkway oak framework and supporting columns on the Hill Garden Pergola. In conjunction with CCA, an historic quantity surveyor was also appointed to provide cost estimates of the options identified by

the conservation specialist.

21. The feasibility study details three estimated phased repair programme options, summarised below:
  - a. Option 1: a single-phase programme lasting a minimum of 27 months (£3.74m)
  - b. Option 2: a two-phase programme lasting a minimum of 33 months (£4.03m)
  - c. Option 3: a four-phase programme lasting a minimum of 41 months (£4.16m)
  
22. The estimated programming detailed above only reflects the estimated time to complete the works needed to accomplish the needed repairs. It does not allow for pauses in the programme – planned or otherwise – due to bad weather, operational requirements, project governance, procurement, and obtaining statutory consents. This means that the length of time to fully complete the programme of repairs would likely be longer than the timelines stated above, and will depend on weather, operational needs, strategic scheduling decisions, and the duration of various necessary internal and external processes.
  
23. CSD has reviewed the options and recommends Option 3 – a scheme comprising of a single project consisting of four sequential phases. The benefits of adopting Option 3 are: 1) costs are staggered over a longer period of time, 2) sections of the Pergola can remain open to the public whilst works are ongoing elsewhere, 3) vegetation is somewhat less affected and will be allowed to regrow once each phase is completed, and 4) site setup is less onerous and has less impact on adjacent areas. In addition, works could be planned to suit inclement weather, as access and conditions at the Pergola will be additionally challenging at these times. The main disadvantages of this approach are higher programme costs when compared to Options 1 and 2.
  
24. The heritage specialist was also asked to develop phased programmes to dismantle the Pergola and place its elements into storage if funding is not identified and dismantlement proves necessary. The estimated programme duration for the actual works, and costs, are summarised below.
  - a. A single-phase dismantlement of the pergola would take 17 months and cost £1.78m
  - b. A two-phase dismantlement of the pergola would take 23 months and cost £1.88m
  - c. A four-phase dismantlement of the pergola would take 31 months and cost £1.94m
  
25. As a Grade II\* structure, Historic England will be a statutory consultee with any repair programme. They are unlikely to look favourably on any proposals to remove the columns, whether it be on either a temporary or permanent basis. Dismantlement options are not recommended for numerous reasons, including cost, reputational risk, and impact to public enjoyment. Historic England are also

extremely likely to require all elements (oak beams and stone columns) that are dismantled to be stored as a record for future reinstatement. The dismantlement costs would be additional to any eventual future costs to repair and restore the Pergola, as well as costs to relocate any re-used stored elements back to the site.

## **Safety monitoring**

26. As noted above, £220,000 of CWP funding is currently available to spend on the Pergola over the next five years. The existing temporary stabilising works and feasibility study were funded from this source. This funding will allow for regular monitoring surveys to continue, further essential works to be conducted to ensure structural safety and stabilise the structure, and hopefully allow the oak framework and columns to be kept *in situ* for as long as the funding lasts and until a decision is made on the Pergola's future.
27. The interim stabilising measures that have been taken, along with regular monitoring, will continue to maintain safety at the Pergola on a temporary basis only, and due to the state of deterioration of the structure and the impact of winter weather on the repairs. They will not last indefinitely, and temporary stabilising measures cannot be made in perpetuity due to funding limitations and due to the need for fundamental repairs via a capital project. An eventual closure and/or dismantlement of the structure would be necessary without capital funding.
28. Monitoring surveys of the Pergola were previously undertaken twice a year. Currently, a Heath officer also undertakes regular review on site during their usual working day and reports back to City Surveyor's Department anything of concern for further review. The latest monitoring survey by structural engineers occurred on 5-6 August 2024. The City Corporation has not been advised of any urgent works needing to be carried out or for required closure of any areas of the structure. The full report from this investigation is expected soon, as of the writing of this report, and will recommend any necessary repairs and when future surveys should be undertaken. Identified works will be completed using the available CWP funds.
29. In recent years, cracked brickwork has been noted on the Pergola. To understand the cause of this movement, structural health monitoring is being investigated by the City Surveyor's Department. This will entail installation of small sensors across the Pergola at relevant locations. Initial enquires with Camden Planning have revealed that statutory consents are required for the monitors. The City Surveyor's Department is progressing this with Camden with the intention of obtaining the necessary permissions to install these monitors.

## **Options**

30. Officers have identified two options on how to proceed.

31. **Option 1 (not recommended):** Continue making stabilising repairs for as long as CWP funding remains and the structure remains safe to keep open. Closures of some or all of the Pergola would occur as and when needed to preserve public safety. A decision on dismantlement would be made, and funding sought, when necessary.
- a. This option does not address the underlying issues in preserving the Pergola, and presents negative impacts to Heath visitors and the City Corporation as described above.
32. **Option 2 (recommended):** Continue making stabilising repairs for as long as CWP funding remains, and in parallel explore internal and external opportunities for capital funding.
- a. Capital funding would be sought from the City Corporation, external funders (grants, etc), and potentially fundraising (private donation, crowdfunding, etc)
  - b. As there is only £2m allocated in contingency funding for City Estate for FY'2025-26 across the entire City Corporation, there is limited likelihood of an internal capital bid, and officers note that it may be necessary to submit multiple capital bids, over multiple years, to fund this project in various phases. It is important to note that capital funding could only be used for the repair and restoration capital works, but not for a potential dismantlement. If a dismantlement does become necessary to ensure public safety, the nearly £2m needed for this would need to be identified and is unlikely to be externally funded.
  - c. Officers would also explore an application to the National Lottery Heritage Fund (NLHF). NLHF grant applications and awards are typically multi-year endeavours, requiring a multi-phase application process. Successfully funded projects would require a minimum of 10% match funding for an award over £1m, as well as a significant activity plan that accompanies the capital project.
  - d. Fundraising generally, and NLHF applications specifically, are time intensive endeavours. As the appointment of a Head of Development & Partnerships is still months away, it is likely necessary to hire in a specialist to provide support if this option is pursued.
  - e. Officers are also seeking to confer with Historic England and other heritage organisations regarding available options to preserve this asset and prevent its forced dismantlement.

### **Corporate & Strategic Implications**

33. Strategic implications: Repairing and restoring the Pergola will further the Corporate Plan (2024-2029) strategic outcomes of Vibrant Thriving Destination and Flourishing Public Spaces. It will also further all four of the Hampstead Heath Management

Strategy visions. And, it will further the Access & Recreation and Culture, Heritage & Learning strategies of the Natural Environment Division.

34. Financial implications: As outlined herein, estimated costs for the repair and restoration of the Pergola range from £1.78m to £4.16m.
35. Resource implications: Significant officer time at North London Open Spaces will be required to seek and secure funding, and to oversee any eventual project. Additional staffing resource will have to be examined as part of this undertaking.
36. Legal implications: The protection regime for listed buildings is set out in the Planning (Listed Buildings and Conservation Areas) Act 1990. There is no specific duty on owners to keep the listed building in a good state of repair, but local authorities (and the Secretary of State) have powers to take action where a listed building requires repairs for its proper preservation. They may serve a Repairs Notice on the owner of the listed building requiring specified repairs to be carried out, in default of which the building may be compulsorily purchased. In addition, there are powers where the listed building has deteriorated to the extent that its preservation may be at risk. The local authority (Camden Council) or Historic England may carry out urgent works for the preservation of the Pergola after giving notice to the City Corporation, and may recover the cost of these works under the legislative provisions. As the Pergola is Grade II\* listed, Listed Building Consent (under section 7 of the 1990 Act) and other permissions may be required (which will be dependent on the nature of the works and whether the special interest of the listed building will be affected by the works.) Historic England would have to be consulted on any works requiring Listed Building Consent.
37. Risk implications: The condition of assets is monitored in the Hampstead Heath risk register. There is a significant reputational risk to the City Corporation allowing further degradation of the Pergola, and to any dismantlement of the structure.
38. Equalities implications: None
39. Climate implications: None
40. Security implications: None

## **Conclusion**

41. The Pergola is an iconic, Grade II\* listed heritage asset of Hampstead Heath, with significant history that is intimately linked to the Heath. Its continued decline and potential dismantlement presents significant risks to the City Corporation, Hampstead Heath Charity, and public.

## **Appendices**

1. Appendix 1: Pergola diagram
2. Appendix 2: Photos of current interim stabilising measures



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