

HAMPSTEAD HEATH, HIGHGATE WOOD AND QUEEN'S PARK COMMITTEE
Tuesday, 22 October 2024

Minutes of the meeting of the Hampstead Heath, Highgate Wood and Queen's Park Committee held at Committee Rooms, 2nd Floor, West Wing, Guildhall on Tuesday, 22 October 2024 at 4.00 pm

Present

Members:

William Upton KC (Chair)
Alderman & Sheriff Gregory Jones KC (Deputy Chairman)
John Beyer
Deputy Timothy Butcher
John Foley
Pauline Lobo
Wendy Mead OBE
Councillor Arjun Mittra
Eamonn Mullally
Alethea Silk

In attendance:

Ruby Sayed

Officers:

Clem Harcourt	- Chamberlain's Department
Simon Owen	- Chamberlain's Department
Niranjan Shanmuganathan	- Chamberlain's Department
Jack Joslin	- City Bridge Foundation
Sadaf Anwar	- Comptroller and City Solicitor's
Edward Wood	- Comptroller and City Solicitor's
John Park	- Corporate Strategy and Performance
Joanne Hill	- Environment Department
Bill LoSasso	- Environment Department
Jonathan Meares	- Environment Department
Charlotte Williams	- Environment Department
Katie Stewart	- Executive Director of Environment
Callum Southern	- Town Clerk's Department

1. APOLOGIES

Apologies were received from Alderwoman Alison Gowman, Caroline Haines and Deputy Edward Lord.

2. MEMBERS DECLARATIONS UNDER THE CODE OF CONDUCT IN RESPECT OF ITEMS ON THIS AGENDA

No declarations were made.

3. **MINUTES**

3.1 **Draft Minutes of Hampstead Heath, Highgate Wood and Queen's Park Committee**

RESOLVED – That, the public and non-public summary of the meeting held on 10 July 2024 be agreed as a correct record.

3.2 **Draft Minutes of Hampstead Heath Consultative Committee**

Members noted the draft public minutes of the Hampstead Heath Consultative Committee held on 16 September 2024.

Matters Arising

The Chairman noted that the Hampstead Heath, Highgate Wood and Queen's Park Committee dinner had been moved to 3rd February 2025.

Chairman requested an update on City Surveyor's being present at meetings of the Committee. Officers indicated Surveyors' had stated they could not attend every Committee meeting but would direct them to the Committee's next meeting to attend.

A Member commented on the large amount of business for the Hampstead Heath, Highgate Wood and Queen's Park Committee and queried whether decision-making functions could be delegated to the Consultative Committee and other consultative groups. He acknowledged that this might require a change in legislation. Officers confirmed that, under the current arrangements, decisions could only be delegated to a Committee, Sub-committee or officer of the Corporation. More business could be delegated to officers, if desired, but not to the Consultative Committee and other consultative groups.

A Member considered whether the structure of the Hampstead Heath, Highgate Wood and Queen's Park Committee could be looked as the charities and their respective histories were different and acknowledged that could require a change in legislation. Officers noted that while more could be delegated to officers, there was no possibility of delegating authority to the consultative groups.

The Chairman indicated the December 2024 meeting would be a good time for the Hampstead Heath Management Strategy to be reviewed. Officers indicated that could be done.

4. **APPOINTMENT OF THE MEMBER OF ENGLISH HERITAGE TO THE HAMPSTEAD HEATH, HIGHGATE WOOD & QUEEN'S PARK COMMITTEE**

The Committee considered a report which sought the appointment of a new external Member of the Hampstead Heath, Highgate Wood and Queen's Park Committee, nominated by English Heritage, to represent the Kenwood lands.

RESOLVED – That, Members:

- Approved Victoria Stone, nominated by English Heritage, to be appointed as a Member of the Management Committee for the consideration of business relating to Hampstead Heath, in accordance with the London Government Reorganisation (Hampstead Heath) Order 1989.

5. **RISK MANAGEMENT UPDATE**

The Committee considered a report of the Executive Director of Environment concerning the Hampstead Heath, Highgate Wood and Queen's Park Committee with assurance that risk management procedures in place within the Environment Department and its Natural Environment Division were satisfactory and meet the requirements of the Corporate Risk Management Framework and the Charities Act 2011.

During the discussion, the following points were noted:

- a) The Committee queried regarding the surveyors' backlog and the financial limit which was in place for when local staff could go ahead with repairs. Officers indicated there was a willingness to work on this from City Surveyor's and a report be written providing an update on that.
- b) The Chairman asked why City Surveyor's were not marked as action owners on repairs backlogs. Officers explained that there was a corporate risk register on asset maintenance and repairs owned by the City Surveyor's who had an oversight of the risks.
- c) A Member enquired how risks would be mitigated at the local level and how the impact of corporate risks on the charity would be considered. Officers reported that the corporate risk register was reviewed by the Audit and Risk Management Committee regularly and the chief officers risk management group also had oversight.
- d) Officers indicated that a new corporate risk management strategy had been approved with an action to improve cross-departmental working on risk management.
- e) It was discussed whether there were any assets that would require additional spend in the next five years and whether the asset conditions were known. Officers indicated there was an asset review underway across the Corporation and were working with City Surveyor's to assess the condition of assets across the board and re-prioritising the cyclical works programme.

- f) The Committee considered whether the register would illustrate the predicted spend on works for future years. Officers confirmed that the cyclical works programme should facilitate the works and City Surveyor's were working with Environment Department officers to identify works needed.

RESOLVED – That, Members confirmed, on behalf of the City Corporation as trustee, that the registers appended to this report satisfactorily set out the key risks to the charities and that appropriate systems are in place to effectively identify and mitigate risks.

6. **ASSISTANT DIRECTOR'S UPDATE REPORT - HAMPSTEAD HEATH Q2 2024-25 (JULY - SEPTEMBER)**

The Committee considered a paper which reported on key accomplishments against the four strategies of the Natural Environment Division at Hampstead Heath.

During the discussion, the following points were noted:

- a) The Chairman expressed doubts about the new reporting format and sought an explanation for the purpose behind the new style as it omitted some details and the charity's own management strategy and purposes. Officers indicated it was to simplify and streamline the report writing process while balancing with how much information the Committee needed, but noted the balance had not been struck on this occasion.
- b) A Member noted the planning consultancy work on threats to the Heath from high rises and suggested they were looking forward to working with the Superintendent on community groups' objections to the tower development at Archway.
- c) The Chairman indicated that the report did not capture significant issues discussed in the Assistant Director's Consultative Committee report on 16 September 2024 and picked them out.
- d) An update was sought on the issue of flooding and discussions with the London Boroughs of Camden and Barnet. Officers indicated that numerous site visits had been conducted and discussions were taking place; Officers assured Members that no work would take place without relevant authorisation.
- e) Officers informed the Committee that the changing rooms on the Heath extension had been disinfected twice and the results indicated this was shifting the biofilms and liberating legionella. A third disinfection had just been completed and results would be back in the next week. Officers reported that changing rooms remained closed for the foreseeable as legionella levels were still unacceptable.

- f) The Committee considered the timeline for reopening the changing rooms on the Heath extension for the rugby season. Officers indicated they were hopeful levels would fall to an acceptable level, but noted that the facility was vulnerable due to the system not being used every day and flushed.
- g) Members discussed whether advice was given to run the showers for a certain amount of time before use. Officers informed that Socotec had advised flushing weekly and noted a few tries would be needed to flush it through the system. Officers noted they were considering installing an automatic flushing system so it did not rely on staff members having to flush the system.
- h) A Member raised a question as to whether there were dead legs in the system as that was where legionella could be trapped. Officers confirmed that the engineers had been asked the same question and they could share the report with Members.
- i) The Committee sought an update on the Neighbourhood CIL bid to Barnet Council for the playground on Golders Hill Park. Officers confirmed that they were in the process of finalising scope of the project which would be reviewed by the Council in January.
- j) Officers confirmed, in response to questions, that the automatic number plate recognition system was operating without issues, that there was increased compliance with payment through the Ring Go application and that parking charge notices were being issued where appropriate.
- k) The Chairman requested an update on the ponds project. Officers confirmed that a sliding door and additional grating was being installed and were awaiting a message of completion.
- l) Officers acknowledged that there were still some people commercially walking dogs without a licence on the Heath but confirmed that 22 permits had been issued. Those with permits would be issued with an ID badge which would have to be worn during commercial dog walking to assist with enforcement.
- m) Members sought clarification on the relevant appeal arrangements under the licensing scheme. Officers confirmed that these were set out in the Schedule to the City of London Corporation (Open Spaces) Act 2018. Any person aggrieved by the refusal to grant a licence, or by the revocation of a licence, was entitled to seek a review of the decision by a committee of the Corporation comprising three Members who were magistrates. There was then a right of appeal to the magistrates' court. Officers confirmed that a standing committee had not so far been established for this purpose, but that a panel could be set up quickly if the need arose.

RECEIVED.

7. HILL GARDEN PERGOLA UPDATE

The Committee considered a report which provided an update regarding the state of the Hill Garden Pergola on Hampstead Heath and outlined options to complete the needed capital repairs, as well as cost estimates for the oak framework, supporting columns and attached balustrading on the high-level walkways.

Officers informed the Committee that they had liaised with the City Surveyor's on stabilising repairs and there was approximately £200,000 remaining in the cyclical works programme for this purpose. It was suggested that additional funding may potentially be needed the next time the programme was approved to ensure repairs continue if capital funding had not been identified.

During the discussion, the following points were noted:

- a) A Member sought information on the timescale for the National Lottery Heritage Fund (NLHF) bid. Officers indicated that it would be a multi-year timeline.
- b) An update was requested on the Head of Development & Partnerships post. Officers indicated there had been an unsuccessful recruitment attempt and the job description was being reviewed with Human Resources and they were hoping to adjust the grading if possible and go out for recruitment again. A fixed-term contract for a professional fundraiser had been considered. The Chairman supported this as recruitment would take more time again.
- c) Officers suggested that fundraising in the community needed to be done once the fundraising post had been filled permanently as a large part of attracting funding was based on relationship building.
- d) The Committee considered whether RIBA or the family of Lord Leverhulme could be involved in a charity appeal. Officers indicated they had looked at the foundation and concluded it tended to focus on biomedical projects but accepted the need explore all options.
- e) Clarity was sought on costs and whether they could be substantiated. Officers informed the Committee that a specialist heritage architect had reviewed the project cost and City Surveyor's had confirmed the predicted cost was valid.
- f) A Member suggested the report recommendation was not as fulsome as it could be as it indicated no timeline but indicated the Committee should reaffirm its commitment to restoring the Pergola as a first principle.
- g) A Member suggested that some concrete proposals on the timeline could be brought back to the December meeting of the Committee.

- h) Members queried how long restoration work would last for after it had been carried out. Officers explained they did not know, but proactive maintenance would be required in future.
- i) It was suggested by a Member that as the Pergola was likely to go on the Buildings at Risk Register, it would be worth going to the Resource Allocation Sub-Committee to request they match fund any funding that the NLHF might provide.
- j) Officers informed Members that recommendations were being considered around developing a divisional fundraising team who would explore the possibility of attracting major donors, interacting with corporates, trusts and foundations, as well as looking at money available from local authorities.
- k) The Committee discussed whether a sinking fund was permitted for charities as Members had been previously informed they were not legally permitted. Officers noted that all charities could hold reserves, but there were legal limits on how much could be held unless there was a good reason.
- l) Members sought clarification on the Options listed under Paragraph 21 of the report regarding the phasing of any repair programme. Officers noted that Option 3 was the preferred option and indicated it was critically important to recruit more staff to be able to put firm deadlines and deliverables in place.
- m) The Chairman suggested that the timeline for how long the work may take was a separate decision. Officers suggested it was a multi-million pound pursuit regardless of the phased approach taken as time would be needed to discuss hiring someone to put together an application for NLHF funding. It was indicated that a decision on the timeline could therefore be taken at a later date.
- n) The Chairman summarised that the Committee wished to reaffirm its commitment to restore the Pergola and wanted a clear timeline on how the steps set out in Option 2 at Paragraph 32 would be achieved. Officers explained that they could not provide a clear timeline on how the steps in Option Two would be achieved as they could not say with definitiveness when an application for NLHF could be submitted. However, they stated that they could provide an indicative timeline and milestones that would be worked toward.
- o) It was suggested by a Member that a decision could be taken at the meeting on Option 2 referred to in Paragraph 32. However, it would potentially be best to defer a decision until the 3 December 2024 meeting on the Options outlined in Paragraph 21 to understand the risks of each option.

RESOLVED – That, Members,

- Approved Option 2 as referred to in Paragraph 32 of the report and;
- Deferred a decision on the Options explored in Paragraph 21 of the report until the next meeting of the Committee on 3 December 2024 and;
- Reaffirmed their commitment to restore the Pergola to use.

8. **WILDLIFE MONITORING ON HAMPSTEAD HEATH**

The Committee considered a report which provided an update on monitoring undertaken, and knowledge gained, of selected Hampstead Heath fauna over the last ten years.

During the discussion, the following points were noted:

- a) It was highlighted by a Member that there was no mention of other reptiles and amphibians. Officers acknowledged there was a big focus on the grass snakes and an amphibian survey was carried out annually. Officers were also confident that there was a healthy population of hedgehogs around Golders Hill Park.
- b) A Member queried whether any measures were being employed to control the numbers of grey squirrels and the American mink. Officers believed there were no mink on the Heath following the results of a survey carried out in May 2024. They informed Members that there was no squirrel control being carried out on the Heath currently, but it had been done in the past.
- c) Officers noted that squirrel traps did not have a significant impact on the squirrel population.

RECEIVED.

9. **DRAFT HAMPSTEAD HEATH TRUSTEE'S ANNUAL REPORT AND FINANCIAL STATEMENTS FOR THE YEAR ENDED 31 MARCH 2024**

The Committee considered a draft version of the Trustee's Annual Report and Financial Statements for the year ended 31 March 2024 for Hampstead Heath.

RECEIVED.

10. **OPERATIONAL FINANCE PROGRESS REPORT 2024/25 (PERIOD 5 APRIL - AUGUST) - HAMPSTEAD HEATH**

The Committee received a report which provided an update on the operational finance position as at period 5 (April – August) for the Hampstead Heath charity and set out the charity's revenue operating budget position to date and projected year-end outturn, current live capital projects and outstanding debt position. The report also provided information on the various reserve funds held and other financial information relevant to the charity.

During the discussion, the following points were noted:

- a) The Chairman asked for an explanation regarding the notable variance on investment income. Officers from the Chamberlain's Department clarified that the £988,000 deviation from the budget was attributed to strategic changes made in 2023/24 aimed at optimising risk and fostering long-term growth, plus an over-ambitious budget target set that resulted in an unachievable target to start with.
- b) Officers explained that it was, in the short-term, challenging to determine if this shortfall would be a one-time occurrence if they continued to set the budget under the current formula. Moving forward, Officers were currently reviewing the formula process used for setting the upcoming budget for 2025/26 to ensure the method used to establish budgets in the future was appropriate.
- c) For the 2024/25 current budget variance, Officers would consider the effects of the strategic adjustments made in 2023/24 and look to identify measures to mitigate the significant budget variances currently observed.
- d) A Member highlighted the investment income shortfall and queried whether this was a result of selling off investments in mining and oil stocks in the move toward a greener agenda. Officers stated that they would provide a response.
- e) Officers explained the reason for the variance was due to the budget being set incorrectly initially and a set formula was being operated which used the maximum contribution. This resulted in an over-ambitious target, rather than downturns in investment returns.

At this point, the Chairman sought approval from the Committee to continue the meeting beyond two hours from the appointed time for the start of the meeting, in accordance with Standing Order 40, and this was agreed.

RECEIVED.

11. ASSISTANT DIRECTOR'S UPDATE REPORT - HIGHGATE WOOD Q2 2024-25 (JULY - SEPTEMBER)

The Committee considered a paper which used the new format to report on key accomplishments against the four strategies of the Natural Environment Division at Highgate Wood. The Chairman noted that the same concerns applied as those discussed on the Assistant Director's report regarding Hampstead Heath.

During the discussion, the following points were noted:

- a) The Chairman requested an update on the Kiln project. Officers reported that a public event had been held to unveil the restored and rebuilt

Roman kiln and this was still on site in the information hut at Highgate Wood.

- b) A Member asked whether all of the Roman sites were displayed on a map for the public. Officers indicated that there was an interactive map produced by the Museum of London.
- c) The Committee recognised and formally acknowledged the work of Officers to maintain the Open Spaces and thanked them for their efforts.

RECEIVED.

12. **ASSISTANT DIRECTOR'S UPDATE REPORT - QUEEN'S PARK Q2 2024-25 (JULY - SEPTEMBER)**

The Committee considered a paper which used the new format to report on key accomplishments against the four strategies of the Natural Environment Division at Queen's Park. The Chairman noted that the same concerns applied as those discussed on the Assistant Director's reports regarding Hampstead Heath and Highgate Wood

The Chairman invited Ruby Sayed to address the Committee.

During the discussion, the following points were noted:

- a) Officers reported that the woodland walk had been proposed for expansion by a Residents' Association at Queen's Park and a consultation was carried out in 2023. They had committed to examining the results when considering the feasibility of expanding the woodland walk, which could lead to the loss of two holes of the pitch and putt.
- b) A report on the cafes was being prepared for the December meeting of the Committee with options for remarketing.
- c) Officers acknowledged that the paddling pool was not currently operational. A specialist's recommendations indicated that there were operational issues, capacity limitations, financial challenges and health and safety concerns.
- d) The Committee was informed that QLM had provided a quote of a one-off cost in excess of £30,000 to ensure the mechanical pump house could operate and the water quality standard could be met.
- e) Officers explained that one option was for the paddling pool to be converted to a splash pad due to the need for less maintenance, no lifeguard being required, and it being accessible for all ages and abilities.
- f) Officers estimated the repair costs alone for opening the paddling pool for the year would be around £80,000.

- g) The Chairman queried why the paddling pool at Queen's Park was more difficult to bring back into operation. Officers explained that the mechanical pump required a lot more work as disinfectant levels could not be flushed out.
- h) A Member requested the surveyors' reports be shared with the Queen's Park Consultative Group to ascertain the cost breakdown and be explored further at the November meeting of the consultative group. A report was also requested for consideration at the December meeting of the Committee.
- i) Members suggested that guidance and analysis from City Surveyor's on alternatives would be helpful.
- j) Officers indicated that they could submit a report on the paddling pool for the next Queen's Park Consultative Group meeting but would struggle to produce more reports for the next meeting of this Committee.
- k) The Chairman suggested that the issue of the paddling pool at Queen's Park could be picked up under Matters Arising in the minutes at the December meeting.
- l) The Chairman thanked Officers for the re-opening of the sandpit at Queen's Park

13. DRAFT HIGHGATE WOOD AND QUEEN'S PARK KILBURN TRUSTEE'S ANNUAL REPORT AND FINANCIAL STATEMENTS FOR THE YEAR ENDED 31 MARCH 2024

The Committee considered a draft version of the Trustee's Annual Report and Financial Statements for the year ended 31 March 2024 for Highgate Wood and Queen's Park Kilburn.

RECEIVED.

14. OPERATIONAL FINANCE PROGRESS REPORT 2024/25 (PERIOD 5 APRIL - AUGUST) - HIGHGATE WOOD & QUEEN'S PARK

The Committee received a report which provided an update on the operational finance position as at period 5 (April – August) for the Highgate Wood & Queen's Park charity and set out the charity's revenue operating budget position to date and projected year-end outturn, current live capital projects and outstanding debt position. It also provided information on the various reserve funds held and other financial information relevant to the charity.

Officers issued a correction to Table 7 of the report and noted the Outturn for 2023/24 was £1.53m, not £30,000 as illustrated on the table.

RECEIVED.

15. QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE

No questions were raised relating to the work of the Committee.

16. ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT

The Town Clerk indicated that the Informal Minutes of the 10 June 2024 meeting of the Hampstead Heath Consultative Committee had been included in a supplementary pack and circulated to the Hampstead Heath, Highgate Wood and Queen's Park Committee.

17. EXCLUSION OF THE PUBLIC

RESOLVED – That, the following matters relate to business under the remit of the Court of Common Council acting for the City Corporation as charity Trustee, to which Part VA and Schedule 12A of the Local Government Act 1972 public access to meetings provisions do not apply. The following items contain sensitive information which it is not in the best interests of the charity to consider in a public meeting (engaging similar considerations as under paragraphs 3 and 5 of Schedule 12A of the 1972 Act) and will be considered in non-public session.

18. NON-PUBLIC MINUTES

18.1 Draft Non-Public Minutes of the Hampstead Heath, Highgate Wood and Queen's Park Committee

RESOLVED – That, the non-public minutes of the meeting held on 10 July 2024 be agreed as a correct record.

18.2 Draft Non-Public Minutes of Hampstead Heath Consultative Committee

Members noted the draft non-public minutes of the Hampstead Heath Consultative Committee held on 16 September 2024.

19. UPDATE ON PUBLIC SEX ENVIRONMENT ON WEST HEATH

The Committee received a report of the Executive Director of Environment.

20. REPORT OF PARCEL SOLD AT PUBLIC AUCTION ADJACENT TO HAMPSTEAD HEATH / GOLDERS HILL PARK

The Committee received a report of the Executive Director of Environment.

21. REVIEW OF LEARNING AND HERITAGE ASSETS AND ACTIVITIES

The Committee received a report of the Executive Director of Environment.

22. QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE

No questions were raised in non-public session on matters relating to the work of the Committee.

23. ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT AND WHICH THE COMMITTEE AGREE SHOULD BE CONSIDERED WHILST THE PUBLIC ARE EXCLUDED

Two items of other business considered urgent were discussed whilst the public were excluded.

The meeting ended at 7.00 pm

Chairman

**Contact Officer: Callum Southern
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