

## APPENDIX 2

### Representation of Mixed Pond Association and Kenwood Ladies Pond Association

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Please find our comments about the proposed fee and charge increases in relation to the ponds. This is being sent on behalf of the Mixed Pond Association and the Kenwood Ladies Pond Association.

We do not dispute the changes in your proposed increase of charges for swimming at the ponds as they are within inflationary markers but please note that we have not accepted in principle the City of London's (CoL) charging policy that has ended the system of free swimming at the ponds with voluntary contributions. When the CoL first took over the management of the ponds it accepted the principle of free swimming which honoured the right of commons under section 36 of the Hampstead Heath Act 1871. The justification the CoL advanced for imposing fees was that new safety regulations had increased costs and some charges were necessary to manage those extra costs. Without a breakdown of the costs and the fee income the CoL generates from the ponds we cannot know whether the fees are generating a surplus against those costs. We have regularly asked for this to be shared with the pond user groups.

CoL have calculated and shared figures for income, expenditure, staff costs and subsidy levels, separately for ponds and lido, annually from 2019 through to July 2023 in the minutes of the Hampstead Heath, Highgate Wood & Queen's Park Committee meetings. These figures and projections were explicitly provided to guide the HHHWQP charging decision in March 2020, and subsequent increases. However they have not been provided for the year April 2023 - March 2024. We therefore need to **caveat** any opinions we express about the proposed charges, with the observation that appropriate financial information to support those opinions has not been provided. We also note that:

- the July 2023 figures indicate that pond swimming made an **operational profit of £34k**.
- we were told in the Nov 2024 SWF that financial information related to swimming would no longer be shared.

Please could you now share the available information used to prepare the **Proposed Fees and Charges** by the City of London for the next financial year, in whatever format you have available.

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The strategic priority five and six of the Hampstead Heath Management Strategy is to increase social inclusion and diversity. Given that fee receipts for charitable activities over the year 2022-23 (HH Annual Report and Financial Statements for the year ended 31 March 2023) increased by over £500,000 we would expect to see evidence that proper consideration has been given to, at least, applying the additional receipts to provide concessions to pond users in support of the strategic priorities. We hope that this consideration will form part of the mid-term review of the management strategy which we understand is due to be completed in April 2025. We suggest that, in this context, the committee consider our proposals made to the Sports and Wellbeing forum on 28 February 2024, to:

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- i. Extend the age limit from 16 to 18 for free swim, and extending the morning free swim from its current time of 9.30am.
- ii. Increase the concession rate from 40% to 50%
- iii. Allow for a monthly payment option to pay for the 12-month seasonal swimming pass, payable monthly as one twelfth (1/12th) of the discounted annual seasonal rate, as opposed to the current up-front payment. This payment would be in lieu of the established monthly rate that is already available to swimmers who do not purchase the seasonal pass.

Swimming representatives also sought a presentation on the CoL's cost of sports provision relative to revenue received on Hampstead Heath.

Officers responded during the Forum meeting that they would need to examine these proposals in greater detail before responding substantively but that response has not yet been provided.

Separately, we do not accept that it is appropriate to benchmark fees charged against third party facilities which are not subject to the rights protected under the Hampstead Heath Act 1871 or the NLOS Hampstead Heath charitable purposes.