

Appendix 2



Open
Spaces

Registered Charity

Open Spaces Departmental Events Policy Part Two: Hampstead Heath

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1. Policy Statement

This Site-specific policy (Policy) should be read with the City of London Open Spaces Departmental Events Policy (Part One) which applies to all Open Spaces managed by the City of London.

This Policy provides guidance for completing an application to hold events at Hampstead Heath including Golders Hill Park and the Heath Extension. Hampstead Heath is a Charitable Trust (Registered Charity Number 803392).

This Policy has been approved by the Hampstead Heath, Highgate Wood and Queen's Park Committee in consultation with the Hampstead Heath Consultative Committee.

This Policy provides a framework to make decisions about events at Hampstead Heath including to:

- Meet the specific requirements of the City of London Corporation (Open Spaces) Act 2018.
- Meet the statutory obligations and charitable trust objectives to preserve Hampstead Heath and to provide recreation and enjoyment.
- Facilitate events that are safe, and which are appropriate to the character of Hampstead Heath and align with the long-term Heath Vision.
- Assist event organisers in understanding the process for event applications and criteria for a licence being granted or refused.
- Provide a fee structure for charges that may apply to event applications.

1.1. Scope

This Policy applies to all events on Hampstead Heath (including Golders Hill Park and the Heath Extension) where the permission or assistance of the City of London is required to facilitate it.

Events covered by this policy include:

- Activities that include the setting aside of a particular area of Hampstead Heath.
- Events and activities that occur over a wider course or more than one location; for example, cross-country running competitions.
- Activities that require access to additional services or infrastructure, or that may interfere with other visitors or go beyond ordinary recreational use.

The following events and activities are dealt with under separate arrangements:

- Sports activities at dedicated sporting facilities and/or with limited infrastructure requirements involving fewer than 500 people, or covered by the Sports Licensing arrangements; for example, personal training, group exercise classes.
- Filming and photography – requests should be completed on the filming application form.

- Weddings and Civil Ceremonies – the separate booking form should be completed.

2.Introduction

There is a long tradition of events on Hampstead Heath dating from the 18th Century when fairs were a major attraction. A diverse programme of over 100 events continues to run throughout the year including community, charitable and commercial events that range from funfairs, cross-country running and sporting competitions to cultural and entertainment events.

There are three broad types of events at Hampstead Heath:

- Charity and community events run by a not-for-profit organisation or by a community group for the benefit of the community.
- Commercial events run by profit-making organisations.
- Free events organised by City of London including music events at Parliament Hill and Golders Hill bandstands, Give-it-a-Go Festival and Conker Championships.

3.Legislative background

3.1. Hampstead Heath legislative framework

The City of London has powers and duties under various Acts of Parliament, primarily set out in the London Government Reorganisation (Hampstead Heath) Order 1989, to manage Hampstead Heath, protect it as a public open space and host certain types of events. The provisions that are most relevant to this Policy are summarised below.

The foundation legislation is the Hampstead Heath Act 1871. Under this Act the City of London:

- Must forever keep the Heath open, unenclosed, and unbuilt upon (subject to certain exceptions) and protect the Heath, and preserve it as an open space (section 12).
- Must at all times preserve, as far as may be, the natural aspect and state of the Heath, and to that end must protect the turf, gorse, heather, timber and other trees, shrubs and brushwood (section 16).
- May drain, level and improve the Heath, as far only as in the City's judgment from time to time is required, with a view to its use for purposes of health and unrestricted exercise and recreation (section 15).

3.2. City of London Corporation (Open Spaces) Act 2018

As set out in Part One of the City of London Departmental Open Spaces Events Policy, the City of London has recently acquired additional statutory powers to hold events at various open spaces, including Hampstead Heath, under section 7 of the City of London Corporation (Open Spaces) Act 2018. Under this section an “event” means a ceremony, celebration, entertainment or similar occasion, or a conference, an exhibition or the making of a film.

The City of London may:

- Temporarily use or permit others to use land (including buildings) forming part of the Heath for the purposes of an event.
- Provide, or arrange for another person to provide, equipment, facilities or services for the purposes of an event.
- So far as appears necessary in connection with an event, restrict or authorise others to restrict access temporarily to an area forming part of the Heath.
- Charge for the use of part of the Heath, or the provision of services, etc. and charge for, or authorise others to charge for, admission to areas with restricted access.

In the exercise of these powers, the City of London must prepare an events policy in consultation with the Hampstead Heath Consultative Committee.

This events policy must, in particular, include the following requirements:

- In deciding whether, and on what terms, to permit an event the City of London must have regard to the character and local environment of the Heath (or the part of the Heath in which the event is to take place).
- Such an event (whether individually or taken together with other events) must not cause material injury to the amenity of the Open Space or significant impairment to the public enjoyment of the Open Space.
- The locations on the Heath to which events are confined must be specified, and structures must not be erected on a part of the Heath which is unbuilt on.
- The frequency and duration of events on the Heath must be limited.

Although, an events policy is only required for events held under the provisions of the City of London Corporation (Open Spaces) Act 2018, for ease of use and consistency, the guidance in this Policy has been produced to cover all relevant events on Hampstead Heath, irrespective of which statutory enabling power is being relied upon.

These include provisions under:

- Article 7 of the Greater London Parks and Open Spaces Order 1967
- Section 145 of the Local Government Act 1972
- Section 19 of the Local Government (Miscellaneous Provisions) Act 1976

Further information about the legislative framework is provided in Appendix 2.

3.3. Strategic context

The City of London is therefore obliged by legislation and its duty as custodian of Hampstead Heath as outlined in the Heath Vision, to protect the Heath and to ensure that events are appropriate to the local character of the Heath.

The Heath Vision sets out shared community aspirations for the Heath with four broad themes:

- We protect and conserve the Heath
- The Heath enriches our lives
- The Heath is inclusive and welcoming
- Together we care for the Heath

Strategies and principles for realising the Heath Vision are set out in the Management Plan for Hampstead Heath.

3.4. Byelaws

Regard must also be had to the byelaws that apply on Hampstead Heath which can be found at <https://www.cityoflondon.gov.uk/things-to-do/green-spaces/hampstead-heath/visitor-information/Pages/byelaws.aspx>.

4.Guidance for events at Hampstead Heath

In considering applications for events at Hampstead Heath, the Open Spaces Events Policy (Part One) requires that this Policy includes restrictions on the location, duration and timing of events.

For the purposes of this Policy, events at Hampstead are ranked according to the number of people attending and the duration of the event as set out in Table 1 in Section 6.3.

4.1. Location

A Schedule of Locations sets out the Heath locations where events may be permitted. These locations are grouped into three zones according to the local character of the location. Details are set out in Section 5.

4.2. Duration

Events located outside of the Lower Fairground site at East Heath will be limited to a maximum duration of five days including time for setup and break down and will be strictly controlled to minimise disruption to Hampstead Heath visitors.

Applications for events that extend over longer periods will be limited to the Lower Fairground site. Generally, events that extend over longer periods will be planned back-to-back to reduce time required for set-up and break-down.

4.3. Timing and frequency

The number of weekends when more than one large or major event is scheduled shall be minimised and, in this instance, the events shall occur in separate areas across Hampstead Heath to minimise impacts on Hampstead Heath visitors.

In each calendar year, two major cross-country running championships events will be prioritised over other events.

4.4. Visitor impacts

Event applications will be required to set out how potential impacts on Hampstead Heath visitors and neighbours will be minimised, including litter, noise, lighting and vehicle movements during set-up and break-down and during the event, to ensure the event is in keeping with the local character of Hampstead Heath.

4.5. Exclusions

Events will be excluded from areas of high conservation value. Temporary and seasonal restrictions on specific areas will be enforced; for example, minimising disturbance during the bird nesting season or temporarily fencing areas to protect meadows and other sensitive areas.

4.6. Extent and infrastructure

Events with significant infrastructure requirements will be restricted to Event Zone A. This applies to the erection of large and/or heavy temporary structures and equipment likely to cause soil compaction; including for example, large marquees and staging; and the parking of heavy vehicles and plant.

Many events at Hampstead Heath cover a wider course that may pass through Event Zones B and C, including; for example, sponsored-walks, community runs and cross-country running events.

In Event Zone B, infrastructure associated with these events will be minimised and will be sited to minimise compaction and other impacts.

In Event Zone C, associated infrastructure will be minimised and will be restricted to surfaced areas as far as possible.

Where an event can only be held by virtue of our powers under the City of London Corporation (Open Spaces) Act 2018 any structure erected will be restricted to Event Zone A.

5. Event Locations

Refer to the Schedule of Locations as presented in the map and table (Appendix 1).

Event locations are grouped into three broad zones. Event applications will be considered based on an assessment of the suitability of a location, including the local character of the location, the potential impacts on the fabric of the site and on the experience of Hampstead Heath visitors and neighbours.

Zone A: Built facilities

Including hard-standing areas, the Lower Fairground site at East Heath, cafés and terraces, car parks, sports facilities and other built facilities (for example Athletics Track, hard tennis courts, bandstands).

Zone B: Established Activity Areas

Including the Upper Fairground site, café environs, turfed sports pitches, Whitestone Pond environs, bandstand environs, amenity grass areas (for example, areas adjacent to sports pitches and playing fields, historical playing fields that are no longer in use), education gardens and learning facilities.

Zone C: Wider areas

Events will generally be excluded from the wider and natural areas of Hampstead Heath.

Large walking and running events that cover a wider course will be limited to surfaced paths and existing routes. Exceptions may include cross-country running and orienteering events where routes will be planned in consultation with Ecologists and Arborists to maximise dispersal of participants and minimise compaction and other impacts.

Event applications will be carefully considered in consultation with specialist Officers to define conditions to ensure any potential impacts on the fabric of the site are minimised, including protection of tree roots from soil compaction, and the preparation of a condition report before and after the event.

Based on the above assessment, an environmental impact fee may be applied to ensure the natural and heritage values are protected. Refer to Section 7 Charges for Events.

6. Decision-making and approvals

Event applications will be considered by the Officer Event Group in the first instance.

6.1. Officer Event Group

The Leisure and Events Manager, the Operational Services Manager and the Highgate Wood, Conservation & Trees Manager form the Officer Event Group which will meet monthly to consider event applications and make recommendations to the Superintendent. The Superintendent will direct the Officer Event Group recommendation to the appropriate approval pathway in accordance with the procedure described in Section 6.4. Other Officers may provide specialist advice as appropriate to the type of event, Event Zone and potential impacts of the proposed event.

6.2. Local Authority permissions

A Temporary Event Notice and other permissions and licences may be required from the Local Authority. Applicants are responsible for making enquiries to the following authorities as applicable:

- London Borough of Camden.
- London Borough of Barnet.

6.3. Event scale and approval timeframes

Events are ranked according to their scale as set out in Table 1. Scale considers the size of the event in terms of the number of people attending on any one day and the duration of the event (including time for set-up and break-down). Where the anticipated attendance and duration fall within different event scales in Table 1 the applicable scale is the larger of the two.

This ranking enables the assessment of suitability of events for the range of locations listed in the Schedule of Locations. The scale of an event also informs the conditions and any restrictions that may be applicable and the calculation of the cost of services that are to be provided.

Event applications must be received within the lead-in time stipulated in Table 1. Should applications not be received within these lead-in times, event applications may be declined.

Table 1: Event Scale (proposed)

Event Scale	Daily anticipated attendance	Duration including set-up and break-down	Approval	Minimum period for receipt of application prior to proposed event date	Application Deadline
Minor	1 – 50	Up to a day	Superintendent	3 weeks	None - rolling application process
Small	51 – 500			8 weeks	None - rolling application process
Medium	501 - 2000	Up to 2 days	Superintendent	4 months	None - rolling application process
Large	2001 – 5000	Up to 3 days	HHHWQP Committee	6 months	1 September 1 December
Major	5001 plus	4 or more days	HHHWQP Committee	12 months	1 March

6.4. How we make decisions

As is current practice, a proposed annual event programme of large and major events will be presented in advance for approval by the Hampstead Heath, Highgate Wood and Queen's Park Committee in consultation with the Hampstead Heath Consultative Committee. Similarly, an annual report reviewing the events programme will be presented to Committee at the end of each year and will include recommendations for the following year.

Proposals for events that are received after the annual event programme report to Committee will be assessed by the Officer Event Group and referred to the Superintendent and/or Committee, as appropriate, in accordance with the thresholds described in Table 1. The Superintendent may choose to refer any medium or smaller event proposal to the Hampstead Heath, Highgate Wood and Queen's Park Committee for decision, for example where the proposal is unprecedented or unusual.

The Hampstead Heath Consultative Committee will automatically be consulted on any event proposal that is referred to the Hampstead Heath, Highgate Wood and Queen's Park Committee for decision. The Superintendent may also choose to consult the Hampstead Heath Consultative Committee on medium and smaller events. Such consultation may be by email or post.

6.5. Criteria for events at Hampstead Heath

When considering an event application, we will consider how effectively the proposal aligns with the following criteria:

- Aligns with the Heath Vision and strategic outcomes for Hampstead Heath.
- Is appropriate for the proposed location and complies with the Open Spaces Departmental Events Policy Parts One and Two.
- Is high quality and includes an event plan which sets out minimum standards for achieving a successful, safe and well-executed event.
- Is sustainable and based on a strong business case.
- Offers quality and memorable experiences for visitors and participants that connect people with Hampstead Heath and local community.
- Identifies and delivers added value for social inclusion.
- Promotes the Heath Vision values of shared stewardship and collective responsibility.

7. Charges for Events

The types of charges applicable will be determined in accordance with the charging policy set out in Section 7.1. The rates charged will be in accordance with the Hampstead Heath Schedule of Fees and Charges which is revised and approved by the Hampstead Heath, Highgate Wood and Queen's Park Committee annually.

Commercial events

Commercial events will be charged in accordance with the structure set out in Section 7.1.

Community and charitable events

The City of London proudly supports community and charitable events at Hampstead Heath. Charity and community events will be assessed to determine an appropriate reduction or waiver of charges. Generally, the Hire Charge will be waived for community events. Additional discretionary discounts may be applied.

7.1. Charging policy for events

Application fee: A non-refundable application charge will apply for all event applications to cover the administrative costs of determining event applications.

Remediation deposit: A remediation deposit may be required, in advance, for each event. The type and size of the event and consideration of any potential remediation works will be relevant to the deposit required. The deposit will be used to fund any remediation works required and any additional costs incurred by the City of London for which the event organiser did not pay a charge.

The cost of any remediation works will be deducted from the deposit before it is returned. Should the deposit not be sufficient to pay for the remediation works and related additional costs incurred by the City of London, the event organisers will remain liable for the same.

Hire charge: A hire charge may be applied to events to reflect the value of hiring this unique outdoor space to event organisers. Days associated with set-up and break-down in addition to the duration on the event will be charged for to offset the loss of amenity for that period.

A holding deposit is included within the hire charge to secure an event location on a specific day. Late cancellation may result in the forfeit of this deposit.

Service charge: Where services are provided by City of London to support events, the cost of those services will be borne by the event organiser. Rates for services that require staff time or equipment and other services, such as waste disposal, will be based on full cost recovery, as set out in the annual Hampstead Heath Schedule of Fees and Charges.

Environmental impact: This is an upfront charge for events that are likely to have a non-permanent environmental impact. Generally, this charge will be applied to events in Location Zone C.

Donation: Event organisers may wish to make additional voluntary contributions to the Hampstead Heath registered charity (Number 803392) to support the cost of managing Hampstead Heath.

8. Cancellation

The Open Spaces Events Policy Part One sets out the Cancellation Policy. Cancellation periods are specified in Table 2.

Table 2: Event cancellation period

Scale	Total anticipated attendance	Notice given for Cancellation	Refund
Minor	1 – 50	Any period	Full refund*
Small	51 – 500	At least 4 weeks Less than 4 weeks	Full refund* Minus 25% of deposit
Medium	501 – 2000	At least 2 months Less than 2 months	Full refund* Minus 25% of deposit*
Large	2001 - 5000	At least 2 months Less than 2 months	
Major	5001 plus	At least 4 months Less than 4 months Less than 4 weeks	Full refund* Minus 50% of deposit* No refund

*minus application fee and City of London reimbursable costs

9. Review

An initial review of this Policy will be undertaken following the first 12 months of its adoption. Subsequent reviews will be undertaken at least every three years, as set out in the Open Spaces Departmental Events Policy Part One. The Superintendent may request a review within that period as appropriate.

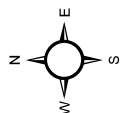
Any revisions to this Policy will be submitted for approval by the Hampstead Heath, Highgate Wood and Queen's Park Committee in consultation with the Hampstead Heath Consultative Committee.

10. Appendices

1.1. Appendix 1 Schedule of Locations:

Proposed Schedule of Locations for Hampstead Heath Events

Location description	Event Zone	Local Authority
Lido	A	Camden
Lido Car Park	A	Camden
Athletics Track	A	Camden
Parliament Hill tennis courts	A	Camden
Parliament Hill Cafe	A	Camden
Parliament Hill bandstand	A	Camden
Parliament Hill Fields Cricket Ground	B	Camden
Parliament Hill Fields environs	B	Camden
Parliament Hill bandstand environs	B	Camden
Dukes Field	B	Camden
Fairground Site East Heath	A	Camden
East Heath Car Park	A	Camden
Amenity grass Fairground Site East Heath	B	Camden
South End Green amenity grass	B	Camden
South End Green path	A	Camden
Mixed Bathing Pond	B	Camden
Highgate Men's Bathing Pond	B	Camden
Kenwood Ladies' Bathing Pond	B	Camden
Old Orchard Garden	B	Camden
No.11 sports pitch	B	Camden
Upper Fairground Site	B	Camden
Whitestone Garden	B	Camden
Whitestone Pond	A	Camden
Whitestone Pond Flagstaff	B	Camden
Jack Straws Car Park	A	Camden
The Hill Garden & Pergola	A	Camden
Golders Hill Cafe	A	Barnet
Golders Hill bandstand	A	Barnet
Golders Hill Park walled garden	A	Barnet
Golders Hill Park tennis courts	A	Barnet
Golders Hill Park	B	Barnet
Heath Extension sports pitch environs	B	Barnet
Wider area of Hampstead Heath	C	various



Proposed Event Zones

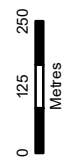
Event Zone



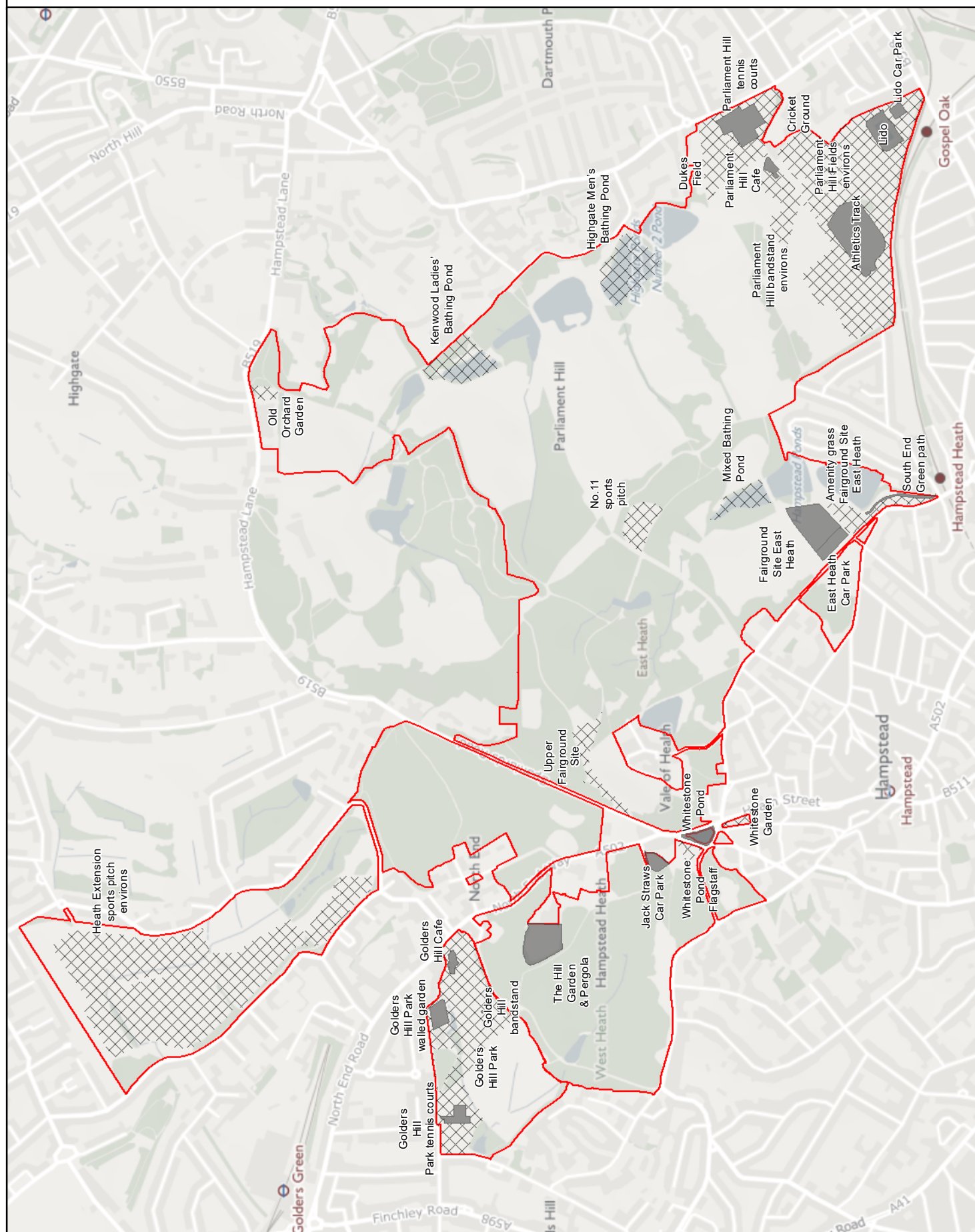
Remainder of Heath
is Event Zone C

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Lucy Gannon

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10.2. Appendix 2 Legislative Framework:

Hampstead Heath Legislative Framework

The City of London has powers and duties under various Acts of Parliament, primarily set out in the London Government Reorganisation (Hampstead Heath) Order 1989, to manage Hampstead Heath, protect it as a public open space and host certain types of events. The provisions that are most relevant to this Policy are summarised below.

Under the Hampstead Heath Act 1871 the City of London:

- Must forever keep the Heath open, unenclosed, and unbuilt upon (subject to certain exceptions) and protect the Heath, and preserve it as an open space (section 12).
- Must at all times preserve, as far as may be, the natural aspect and state of the Heath, and to that end must protect the turf, gorse, heather, timber and other trees, shrubs and brushwood (section 16).
- May drain, level and improve the Heath, as far only as in the City's judgment from time to time is required, with a view to its use for purposes of health and unrestricted exercise and recreation (section 15).

Under article 7 of the Greater London Parks and Open Spaces Order 1967 the City of London may:

- Provide indoor and open air facilities for sport and for any form of recreation whatsoever.
- Provide amusement fairs and entertainments including bands of music, concerts, dramatic performances, cinema exhibitions and pageants.
- Provide exhibitions and trade fairs for the purpose of promoting education, the conservation of the environment, recreation, industry, commerce, crafts or the arts.
- Provide centres and other facilities (whether indoor or open air) for the use of clubs, societies or organisations whose objects or activities are wholly or mainly of a recreational, social or educational character.
- Provide ancillary facilities such as refreshments, platforms, screens, seating, buildings or structures and other apparatus, appliances, equipment or conveniences that are necessary or desirable.
- Set apart or enclose any part of the Heath for these purposes and prevent any person from entering that area, and do such acts and enforce such restrictions or conditions as it considers necessary or desirable.

These powers are subject to certain restrictions including that:

- Where any part of the Heath is set apart or enclosed for the playing of games and that part is not specifically laid out and maintained for that purpose, the power to preclude any person from entering that part shall not apply while it is not in actual use for games.

- The part of the Heath set apart or enclosed for the use of persons listening to or viewing an entertainment (including a band concert, dramatic performance, cinema exhibition or pageant) shall not exceed one-tenth of the Heath.
- Exhibitions and trade fairs must not be held on the Heath on more than 8 Sundays in any year.
- Where providing indoor recreational facilities, or centres and other facilities for the use of clubs, societies or organisations, the City of London must satisfy itself that it has not unfairly restricted the space available to the public for recreation in the open air.
- There are various additional restrictions relating to cinema exhibitions.

Under section 145 of the Local Government Act 1972 the City of London may:

- Provide an entertainment of any nature or facilities for dancing.
- Provide premises suitable for the giving of entertainments.
- Hold exhibitions for the development and improvement of the knowledge, understanding and practice of the arts and the crafts which serve the arts.
- Provide refreshments and programmes, advertise any entertainment, charge for admission and services and do any other incidental things.
- Set apart or enclose any part of the Heath to be used by any other person, on such terms as to payment or otherwise as it thinks fit, and authorise that other person to make charges for admission.

Nothing in this section affects any statutory requirement to obtain a licence for the public performance of a play, the public exhibition of a film, boxing or wrestling entertainments, public music or dancing, or for the sale of alcohol.

Under section 19 of the Local Government (Miscellaneous Provisions) Act 1976 the City of London may:

- Provide such sporting and recreational facilities, whether indoor or outdoor, as it thinks fit.
- Provide premises for the use of clubs or societies having athletic, social or recreational objects.
- Provide such facilities in connection with recreational facilities as it considers appropriate including buildings, equipment, supplies and assistance of any kind, parking spaces and places at which refreshments may be bought from the City of London or another person.
- Contribute towards the expenses incurred by any voluntary (not for profit) organisation or local authority in providing recreational facilities.

City of London Corporation (Open Spaces) Act 2018

As set out in Part One of the City of London Departmental Open Spaces Events Policy, the City of London has recently acquired additional statutory powers to hold events at various open spaces, including Hampstead Heath, under section 7 of the City of London Corporation (Open Spaces) Act 2018. Under this section an “event” means a ceremony, celebration, entertainment or similar occasion, or a conference, an exhibition or the making of a film.

The City of London may:

- Temporarily use or permit others to use land (including buildings) forming part of the Heath for the purposes of an event.
- Provide, or arrange for another person to provide, equipment, facilities or services for the purposes of an event.
- So far as appears necessary in connection with an event, restrict or authorise others to restrict access temporarily to an area forming part of the Heath.
- Charge for the use of part of the Heath, or the provision of services, etc. and charge for, or authorise others to charge for, admission to areas with restricted access.

The City of London must exercise these powers having regard to an events policy prepared in consultation with such persons or bodies as it thinks appropriate. This must include any Committee or Group established by statute for the purpose of consultation about the management of the Open Space – at Hampstead Heath this includes the Hampstead Heath Consultative Committee.

This events policy must, in particular, include the following requirements:

- In deciding whether, and on what terms, to permit an event under this section the City of London must have regard to the character and local environment of the Heath (or the part of the Heath in which the event is to take place).
- Such an event (whether individually or taken together with other events) must not cause material injury to the amenity of the Open Space or significant impairment to the public enjoyment of the Open Space.
- The locations on the Heath to which events are confined must be specified, and structures must not be erected on a part of the Heath which is unbuilt on.
- The frequency and duration of events on the Heath must be limited.

Although, an events policy is only required for events held under the provisions of the City of London Corporation (Open Spaces) Act 2018, for ease of use and consistency, the guidance in this Policy has been produced to cover all relevant events on Hampstead Heath, irrespective of which statutory enabling power is being relied upon.