We used to work well with Haringey's planners. We used to send in detailed objections (to about 5% of applications) and the planners would often actually thank us for our input and note that it was of material help in enabling them to refuse on sound grounds and resist appeals, which we fought with them.

Something has happened to put that on hold, and we do not know what. As reported in these columns, we have had a series of poor decisions, against local and national policy, applications which should never have been validated, a seeming reluctance to follow national guidance on community engagement, even on major schemes – for example, Townsend Yard, which Haringey gave refused to take to Planning Committee, despite 150 objections and repeated requests from our Ward Councillors, failure to respond to our urgent questions, an inexplicable silence from their Conservation officers with whom we used to work well, reports from their Design Officer which seem to contradict the views of community groups.

We are surprised to learn from our ward councillor that we are being accused of "objecting to everything". We thought that old stereotype fiction had ended long ago. We have continually made clear that (a) we prefer good modern development to pastiche, and (b) only object to development which is badly designed (the major schemes at Mary Feilding, Cranwood, Wellington and Townsend Yard are not well designed - a view shared by colleagues on the Highgate Conservation Area Advisory Committee and the community in Muswell Hill, where there were over 200 objections to Haringey's own development at Cranwood, yet it was passed with superficial discussion) or, as in a number of recent cases, is against national or local policy. Haringey should be reminded that, when we drafted the Highgate Neighbourhood Plan, we identified 27 sites for desperately-needed affordable housing, and were allowed just five. It is not us who are trying to 'prevent' development[, but Haringey who are are allowing harmful development of no public benefit to the area.

We have tried to revive the regular meetings we used to have with Haringey's head of planning, but can get no response. We are also seeking a meeting with the new Chief Executive, who said on his arrival that he has visited the whole Borough and spoken to every community, though not Highgate; we have requested a meeting with him. Of course it can be a 'nuisance' to have people with relevant qualifications and experience providing alternative planning solutions to what developers put forward, and have often paid good money to Haringey for their advice. But it is the job of Haringey's planners to consider fairly such alternatives, and it seems these days that more of our time is spent fighting Haringey and submitting Freedom of Information Act for basic information about the basis on which some of their decisions have been reached, than on proactive planning. Local people from Highgate and beyond come to us on Saturday mornings to ask what is going on. It is extremely stressful on our very experienced team and a waste of our time which could be spent helping Haringey to secure good planning. The two most commonly used words round these parts at present seem to be "judicial" and "review", and as I write we are faced with the likelihood of having to launch a fund-raising campaign to fund at least one, perhaps more.

Basically, Haringey appear to be treating us as interfering nuisances, rather than professionals with skills in all the fields necessary to help them. They seem to have forgotten that the Society was chosen to be one of 36 out of 44,000 respondents to the late unlamented Planning White Paper to give oral evidence to the House of Commons Select Committee Inquiry into the Paper; that our evidence was cited several times in their report; and that the Government accepted the report in full, suggesting that the Society had a real role in ensuring that the Paper was rightly consigned to the dustbin of history.

Indeed, in a somewhat timely fashion, the amendments to its replacement, the Levelling-Up Bill, include something we have been pressing for many years through the London Forum: a Third Party

Right of appeal, currently allowed to developers on refusal but denied to communities if a permission is given against policy, something we have long considered a breach of human rights and cetainly skewing planning decisions in favour of developers. This has been sought by Chipping Barnet MP Theresa Villiers, and the Forum are now liaising with her to firm up a workable piece of legislation. It would benefit and speed the planning process in two ways: it would make local authorities think twice before granting permissions against policy, and it would deter developers from appealing repeatedly to wear the local authority down, resulting in better planning and a better standard of development. Whether the Government, now in more of a community engagement mood, will accept it remains to be seen.

We cannot understand why, when other local authorities, such as Westminster, are prioritising real community engagement, and even the Government are committed to greatly increasing community engagement in the planning process, Haringey planners (we seem to get on significantly better with other departments, such as Highways and Enforcement) seem hostile to working with their communities.

Lest some might accuse the wealthy folks in leafy Highgate of moaning, we learn that Haringey has been told by the Local Government Ombudsman, which investigates complaints against councils, to take "urgent action" to improve its complaint handling, which was falling below the standards it expects, asking how it proposes to improve the process. It upheld 29 complaints against Haringey in the year to 31st March, the third-highest number in London. In particular it criticised the council's handling of the Cranwood development.

The **Townsend Yard Development,** off the High Street, continue to be a major struggle, involving inordinate amounts of our time and energy. Haringey ignored our 8-page objection to this signally bad application, and the many other objections but, surprisingly, forgot to require an application for Listed Building Consent, only conceding that it was needed following our pressure. We considered it sufficiently important that our objection should be written by a Planning Barrister, and Save Britain's Heritage, a national campaigning body with a superb track record of defeating bad developments, felt this was sufficiently important to warrant their intervention.

Despite some 150 objections, Haringey refuse to bring the current Listed Building Consent application to Planning Committee, meaning that it could decided without further notice by the case officer. After eight months, nothing has happened; it is clear that Haringey realise their mistake in granting the original Planning Permission but are in a quandary as to what will happen if they now refuse the Listed Building Consent as, our legal opinion states, they must.

And worse is the fact that the original permission was given without taking into account that the historic Shepherds Cottage, Highgate's oldest domestic building, which will be seriously harmed by the development, is listed in its own right yet was not even mentioned in the original application, even though Haringey were well aware of its Listed Status and importance in 1995 and 2017. They have ignored the fact that the buildings to be demolished are attached to the cottage and therefore listed in their own right, that demolishing them will damage the cottage, and that there are other Listed boundary walls not owned by the developer, probably 17th or 18th century, which will be affected. Their conclusion that the harm to the setting of the Listed Building will be "less than substantial" is incomprehensible; our legal opinion makes clear that Haringey must take the opportunity to correct their disastrous error by refusing the Listed Building Consent application and requiring the developer to reach a solution which does not destroy the setting of this important listed building.

It also appears impossible to build the development in its current form without causing serious harm to adjoining landowners' rights of access. It fails on a range of vital logistical issues. Since the entire site will be built on, construction works will have to be done from Townsend Yard itself, which will mean blocking other landowners' access. Despite a requirement by Haringey to liaise

with adjacent neighbours and emergency services, the developer failed to do so. Analysis shows that the large vehicles needed will neither be able to turn at the bottom of the Yard, only 2.7m wide at its narrowest - or to reverse up it. Yet the Developer's analysis presupposes they will be able turn vehicles on privately-owned land at the bottom of the Yard. Appallingly, Haringey nevertheless granted the Construction Management Plan.

Even more serious element is the matter of Fire Brigade Access to the landlocked Shepherds Cottage, which until now has been possible from the Yard, since access from the narrow covered passageway from the High Street will impossible once the development is complete. n the event of a fire, either in the Cottage or in one of the Listed Timber-framed buildings along the High Street, the cottage will be a death trap.

We have had long discussion over this with the Fire Brigade, who have advised Haringey that the solution would be for the first house of the development to be omitted, retaining emergency access. They tell us that they have met with developer and planning officer, and a proposal was made to them which they have rejected, and they have not received any further contact or correspondence. The owner of the cottage is currently taking legal action to establish that she has an easement over the land which cannot be blocked. Haringey appear to believe that a fundamental fire safety issue can be left unresolved, to be sorted out once permission is given, so we have made a Freedom of information Act request for all correspondence etc. between the Fire Brigade and Haringey.

Haringey have not responded, and we have now had to reply that, given the fundamental issue of a lack of turning space and lack ofFire Brigade access to Shepherds Cottage, these details cannot, as Haringey suggest, can be resolved by later agreement. The latest drawings demonstrate that fire engines and construction lorries cannot turn and the development will prevent any access to the cottage. It is therefore irresponsible to grant consent at this stage. We therefore have no option but to request an internal review, as a first step in the tedious complaints procedure leading to a complaint to the Local Government Ombudsman.

This is a signal example of the failure of Haringey's planning department. Haringey and the developer have in effect ignored the existence of the cottage; the owner did not receive notice of the application, and no one from the planning department visited the cottage, surely essential to understand the issues. The original planning permission actually said that the development would not harm the house as it was "a building hidden by others"; the case officer cannot actually have visited the site.

We have tried twice to contact the developer to seek a meeting, but he has not replied. It is essential that one house be omitted from the development, and if Haringey, in their inscrutable wisdom, grant the Listed Building Consent, we will have no alternative but to see legal advice on the practicability of a Judicial Review of the decision, a necessary but expensive process for which we will need to launch an urgent fundraising campaign.

Of equal concern is Haringey's granting permission on June 6 for the redevelopment of the former **Mary Feilding Guild** in North Hill and its replacement by a much larger building, 40% of which would include expensive accommodation for rehabilitation patients, and 60%, we are told, nursing home beds for the elderly, over a vast basement which would threaten the stability of the Grade II listed terrace at 109-119 North Hill. David Richmond spoke against it for us at Planning Committee, as did Cllr. Emery, while two badly-affected residents also spoke. It was a waste of time; it was approved, subject to the conclusion of a Section 106 agreement, not yet finalized, so that formal planning permission has not yet been granted. Planning Committee asked no questions indicating that they had been adequately briefed by the Planners; objectors' points were completely ignored or dismissed, and Haringey's Conservation and Design officers seemed only to want to sing the praises of this overdevelopment which will bring no public benefit and contravene Conservation Area policy. We cannot see why Haringey drove through such a bad development.

We also requested a copy of the Section 106 Agreement signed with the developer. Both requests were ignored. Given that the outcome was clearly predetermined in pre-application discussions between the developer and Haringey, we made a Freedom of Information Act request, before the planning hearing, for disclosure of the pre-application discussions between the developers and

Haringey's planners. That was refused so, under Haringey's complaints procedure, we have made a formal complaint about the failure to disclose. The planning hearing took place without the disclosure, which was pointed out at the hearing, to no avail, the permission being granted and Haringey maintaining their refusal to disclose the records of the pre-application discussions. We have therefore referred them to the Information Commissioner's Office (ICO) and asked for a ruling.

This is an issue of wider concern since Haringey's position is that they do not disclose pre-application discussions as it may deter people from entering into such discussions if they know that they may be disclosed later. But that reason is contrary to the fundamental principles of the Freedom of Information Act, which is that openness about such discussions encourages democratic engagement and improves decision-making. The ICO's timescale for determining referrals is currently about 9 months so it may be next year before the result is known. But when it is known, can we hope that it will improve openness in Haringey's planning decisions?

In more detail, Haringey Planners show a fundamental misunderstanding of Freedom of Information law, and we expect the Information Commissioner to order its disclosure. We believe that if we had seen the material, it might well have make a difference, and that if the decision were reached without objectors and the Planning Committee being able to see the material which Haringey Planners have refused to disclose, there would be good grounds for a judicial review on the grounds of procedural unfairness; but Haringey only gave a date of 28 June for a response – 22 days after the permission was granted.

Our complaint to their Head of Planning drew a reply contains a number of errors, showing a fundamental failure to appreciate the purpose of the Freedom of Information Act (FOI) and the Environmental Information Regulations. It is clear that the pre-application information they have is required to be disclosed and we have requested it without further delay; some of our points are as follows:

1. They maintain that the relevant legislation is the Environmental Information Regulations; but the information sought is not environmental information and the decision whether or not it is environmental information must be taken case by case.
2. They consider that the information is exempt from release under the Regulations, and that it can be withheld where its disclosure would have an adverse affect on the interests of the person who provided the information – ignoring the final part of the Regulation, "[where that person] has not consented to its disclosure." There is clearly an obligation on the authority to ask the person who provided the information whether they consent to its disclosure, and their reply suggests that it has not been done.
3. They confirm that they do hold such correspondence of the type requested, but consider that 'people should be able to have an exchange of correspondence with a Council officer with a reasonable expectation that these will not be made public." Firstly, that rather contradicts their comment in the previous paragraph about consenting to disclosure; secondly, it fails to understand that the purpose of FOI legislation is that official communications are to be publicly available, subject to the exceptions. 'An exchange of correspondence with a Council officer' is precisely what the Act requires to be made public and a person should not have any expectation that the correspondence not be made public. Haringey, in its online 'Preapplication Advice Service', states that disclosure is the rule, unless the party providing the information can demonstrate any of the few exceptions.

4. Haringey claim that, if pre-application discussions were to be made publicly available, developers may be less likely to engage with them and seek their advice and would not be able to obtain expert advice, which in turn could inhibit developments and slow down the planning process. This is disingenuous. Developers can afford expert advice; they are merely enquiring what local authority planners will permit. No valid legal basis for refusing disclosure is provided.
5. "Public interest" imposes a general duty for environmental information to be published wherever possible, and disclosing such information increases the openness and transparency of the Planning process. There is no attempt at providing a balanced case; Haringey's case relies on an exception, not an exemption, but there are no exemptions in the Regulations.
6. Haringey make no case that the information is environmental, and it it is not, disclosure is required under the Act. Either way the information is required to be provided.
7. Haringey err seriously asserting that 'FOI legislation and planning legislation operate separately'. The whole point is to make the deliberations and decisions of public authorities open. Compliance with FOI legislation is integral to good decision-making.

No satisfactory response has been made, and as a result we have had no option but to refer it to the Information Commissioner.
On 22nd June, we published the following letter in the Ham and High:

"Your report about the granting of planning permission for the redevelopment of the Mary Feilding residential care home provides an incomplete story. The impression given is of two neighbours supported by the Highgate Society who objected to a reasonable development of a socially useful care facility, simply on the grounds of some minor loss of sunlight to their gardens and possible damage to foundations… your reporter did not speak to [us] to understand the full position. The new development will have a floor area three times the existing buildings...

"The Highgate Society does not object to the principle of redevelopment of the site. Our objection is to its size, which is so grossly out scale and poorly designed that it will cause irreparable damage to the Highgate Conservation Area. A reduction in size would have limited the overlooking and overshadowing, and kept the North Hill building in line with the height of the neighbouring Listed Georgian terrace… a 10% reduction in size would have given a much more acceptable result in the conservation area keeping it in line with the adjacent Georgian terrace.

"To our further dismay, the new buildings on the View Road frontage are little more than a dismally designed pastiche of the local Edwardian style. Haringey's Conservation and Design Officers were engaged in discussion with the developers for nearly two years; yet there was no consultation with the local community, as required by the National Planning Policy Framework, until those discussions were completed, and the minutes of our eventual meeting with the developers record that we were simply told that everything had been already agreed with Haringey and no changes would be made. The developers' claim, at the Planing Committee meeting where permission was given, that the final design was the result of local consultation, was therefore surprising.

"To our further dismay, despite the Society's criticism... and the adjoining resident's impassioned description of the damage which the developers' own engineers admitted would be caused to his house, the Planning Committee did not even raise those issues before simply passing the application...

"A care home sounds wonderful, but the Haringey planners don't seem to have probed any further. Highgate Care is a private developer and operator, the minimal public benefit of the scheme does not outweigh the significant damage it will do to the Highgate Conservation Area – not to mention the coach and horses it has driven through the Highgate Neighbourhood Plan - and by granting permission for this grossly oversized and badly designed building, Haringey have simply increased

the developer's profit and driven another nail into the coffin of their own planning policies. How will they now be able to refuse the gigantic 80-bedroom, dementia home planned for the site of two characterful original houses at 44-46 Hampstead Lane, whose double basement will threaten the Kenwood SSSI directly opposite?

"...Community engagement in Haringey is completely absent. How unlike progressive Boroughs such as Westminster, who now prioritise Community engagement in their own planning policies."

Indeed, Westminster have made it clear that they will not engage in pre-application discussions with developers until they have first had discussions with community groups. Haringey completely ignore the requirements of paras. 132-134 of the National Planning Policy Frame work, which stipulate that (our emphasis where shown):

"Design quality should be considered throughout the evolution and assessment of individual proposals. Early discussion between applicants, the local planning authority and local community about… design and style... is important for clarifying expectations and reconciling local and commercial interests. Applicants should work closely with those affected by their proposals to evolve designs that take account of the views of the community. ***Applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot***.

"Local planning authorities should ensure that they... make appropriate use of, tools and processes for assessing and improving the design of development. ***These include workshops to engage the local community...*** These are of most benefit if used as early as possible in the evolution of schemes, and are particularly important for significant projects.... In assessing applications, local planning authorities should have regard to the outcome from these processes...
"Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design..."

Yet another major headache is the proposed gigantic care home development proposed for **44-6 Hampstead Lane,** reported on in past issues, which yet again highlights Haringey's disregard for Community engagement on major schemes. Together with Mary Feilding, it also highlights the remoteness and undemocratic nature of the Quality Review Panel (QRP) system. The QRP was formerly a voluntary Design Panel, comprising local community representatives (including the Society) and architects; this assessed larger developments, bringing local knowledge and expertise to ensure that developments were appropriate. It was abolished and replaced by a panel of outside architectural "experts" – paid at public expense – who do not seek community views or input and whose views appear to override those of local groups or people. The QRP assessment of this huge development makes depressing reading, inexplicably supporting the application and not considering its vast bulk a problem.

The application would replace two characterful 1930s houses with a huge and clumsy block, which would be yet another nail in the coffin of Conservation Area policies. Of equal concern is that it is directly opposite the Kenwood SSSI and with a vast double basement which would threaten the flow of ground water to it. Yet English Heritage were not even notified of the application and it was we who warned them, as a result of which they have submitted a strong objection.

Once again, this development has been on Haringey's books for nearly a year, no decision has been made, and we are, once again, finding it immensely difficult to get any information out of Haringey on how they propose to handle this signally inappropriate development.

For some sort of relief, let us cross the border to Islington, where the future of the fine old Victorian **Holborn Infirmary** buildings at the apex of Highgate Hill and Archway Road remains unclear. Several years ago we and Better Archway Forum succeeded in getting the block designated a Conservation Area in view of the importance of the buildings. However, when we applied three years ago for the buildings themselves to be Listed, on the basis that they were the reason the Conservation Area was created, Historic England prevaricated and, in an effort to revive the process, we followed it up.

Their reply was that, as the application has been on hold for some time, Historic England have decided to close the application and will only re-open it if there is
- a significant threat of demolition;
- the buildings come under on of their "Strategic Designation Priorities"
- the buildings possess are sufficient significant to make them "obviously worthy of inclusion on the National Heritage List"

and they conclude, without further detail, that the buildings do not fall into any of these categories. This is not only unacceptable, but illogical. The Conservation Area within which the buildings are located was designated solely because of the buildings; if they were demolished, the justification for the Conservation Area would cease to exist. Therefore, the buildings themselves are a Heritage Asset and should be Listed. It is illogical not to List them and there is not sufficient information on the internal state of the buildings – which is unsurprising as we have not been allowed access them. We intend to follow this up.

The new license for the former Pain Quotidien premises in the High Street, previously the old-established **Rose and Crown pub**, has been granted, though as a result of extensive concerns expressed by nearby residents about the proposed use of the garden, the licence is on the same terms as before and no extended garden use will be permitted. It is unclear who the actual operators will be.

In another High Street licencing issue of concern to nearby residents, **The Duke's Head** has been granted a new premises licence subject to conditions including operating times to be 1200-0030 hrs., Monday – Sunday, and measures to provide for public security and prevention of public nuisance from noise and other nuisance, as well as maintaining the area outside free from litter

Though we and other local groups have expressed extreme reservations about the suitability of the **Wellington Gyratory site** for housing, Haringey still seem determined to build mainly public housing on what must be one of London's most polluted and traffic-ridden sites and despite several public "consultation" zoom meetings to seek the community's views, no changes have been made to the poor design or measures proposed to modify the impact on neighbours over which the buildings will loom. Despite their repeated assurances that nothing has been decided as to whether it would go forward before there had been "full consultation", they note that the application will go forward when they have received the Quality Review Panel's [see above] comments, although at the time of writing the Panel has not made any comments.

The Victoria Pub remains on the agenda, now derelict and still unoccupied. We have been encouraged that, after several years, an agents' board advertising it as a pub has at least appeared. We know that at least two pub operators are interested and have encouraged them to register their interest, though one reported to us that the developers' agents could give them little information, while he tried several times to speak to the relevant people at Haringey but none of them got back to

him. The developers would no doubt want to turn it into residential, but are currently precluded by a condition that they must retain the ground floor as a pub.

We tried unsuccessfully a few years back to have the pub designated an Asset of Community Value, but are now trying again. We have now approached the relevant department at Haringey three times, each time only getting a response that the relevant officer is away and will contact us on his return.

Members are by now hopefully getting the impression that the Society's Planning Group's task would be significantly simpler, and more productive, if we were not currently spending a high proportion of our time combating the problems described above.

We have continued to make comments on a number of smaller applications for redevelopment or extension which are against Policy and would have a damaging impact on the character of the Conservation Area or their setting. An example was an application for retrospective permission to the prematurely-installed new shop front and windows at **373 Archway Road.** The shop front does not replicate the one replaced and the new fully glazed aluminium-framed shopfront ignores and undermines Conservation Area Policies. Haringey have allowed much of the Archway Road – all within the Conservation Area - to be degraded over the years through failure to follow its own planning policies, and this is probably one of the reasons for its decline. We have urged that a more traditional shopfront should be required, and argued that to defend Conservation Area Policies is the way to improve this part of Archway Road, and not to "improve and renovate", as maintained by the applicant.

We, the CAAC and others objected to a huge rear extension at **32 Holmesdale Road**, part of an original an early Victorian terrace of 3, despite Haringey's own Policy requiring "rear extensions on residential properties be subordinate in scale to the original dwelling [and] complement its character. This is exacerbated by a proposed two-storey outbuilding for "ancillary domestic use" at the bottom of the garden. We object to the construction of a 2-storey building at the bottom of the garden with windows directly looking into bedroom windows opposite. This will severely reduce the garden to an inner courtyard garden, against the Neighbourhood Plan policy requiring that "there will be a presumption against the loss of garden land". Needless to say, Haringey have permitted it against their own Conservation Area policies.

We also objected to a large 3-storey extension at **15 View Road, a G**rade II Listed house. There were no drawings of the site, plans or elevations and the application should not even have been validated. The drawings show the existing garden level too low, to give the impression that the building will sit lower next to the existing house and, being dug into the ground to try to keep the visual height down will involve the loss all the trees in this area of the garden, and it could easily be seen as a large stand-alone three bedroom house. Haringey's decision is awaited.

We also objected to a single storey rear outbuilding at **35 Kenwood Road** described as a 'granny annexe' comprising accommodation for an elderly member of the family in the main house. However we feared that it would become a separate self-contained dwelling when no longer a 'granny annexe'. Many local authorities require that an approved granny flat reverts to use solely by the family in the event that it is no longer required and we observed that such a requirement would be necessary should it be approved. However, we felt that it would do nothing to protect or improve the character of the fine, and well-preserved, Edwardian Gaskell Estate. Haringey nevertheless granted permission, but did add the condition requiring that the flat revert to use by the main dwelling when no longer in use as such.

There are many other examples; the above give a flavour of how we endeavour to ensure that development in the Conservation Area protects and improves it. Sadly, too much of what is permitted by Haringey patently does not.

Camden Council has using its planning powers to remove Permitted Development rights allowing shops and other commercial premises in the High Street to be changed to residential without the need for planning permission; this came into effect on July 22. Efforts to get Haringey to do the same on their side of the High Street have so far achieved no result. It is completely illogical that one side of a High Street should have protection but not the other, and it is most unfortunate that the two local authorities did not work together on this.

However Haringey can still waste time and money, and flout their own Conservation Area rules, by putting the sign illustrated here in the High Street without consultation, at one of the narrowest points of the pavement. We have asked our Councillor to seek its immediate removal.

For many years the Grade II listed retaining wall for **The Bank, Highgate Hill**, the raised road in front of Channing Senior School, has been in a weakened state and sections covered by unsightly hoarding. Haringey have now unveiled plans to restore the wall and hope to start work soon. They did a good job on the retaining wall in North Hill near Highgate Primary School and restoring the historic railings, so we're optimistic. We also gave Haringey's engineers evidence that the railings are postwar, and that they were previously of the same design as the 1880s railings which they had restored so well on North Hill; they have indicated their willingness to replace them with the same period-style railings.

This section of Highgate Hill also needs safety improvements. The Cholmeley Park junction, crossed by Channing pupils, suffers from poor visibility. Other safety improvements we would like to see are a build out for the bus stop outside Channing, some widening of pavements on the Haringey side and improvement of the pelican crossing near Cote to slow traffic.

We had a constructive meeting with Haringey's road traffic engineer in July and will maintain liaison. The Hill is a boundary between Camden and Haringey and both have tended to treat Highgate Hill and Highgate High Street as lower priorities because of difficulties of coordination [note by William Britain]

There was wide local debate and concern about an application for the present 8 days of events for the **Kenwood Concert season** be changed to 8 major summer events, for over 10,000 people, and an unlimited number of other events (under 9,999 people, which by any standards is still major), at any time of year. The hours for both are 8am to midnight. We wrote to Camden Licensing team, basically supporting the Heath & Hampstead Society's (HHS) strong representation and adding:
(a) the proposed amendments to the current licence will make it less clear than at present;
(b) a proposed condition is: "Major Event Days shall not run for more than 3 consecutive days and never run over more than two consecutive weekends." If Major Events could run for 3 days, then with up to 8 such Days permitted a Major Event could cover 24 days. We do not believe that is the intended meaning. This must be corrected;
(c) another proposed change allows Major Events between 1 June and 30 September rather than mid-June to mid-September as at present. We object to that extension.
(c) to allow any number of other events involving up to 9,999 people for the whole year removes any reasonable control of the use of the Kenwood Estate. As regards both public access, significant and regular noise nuisance, and the harm that could be done to the natural environment. This would allow an escalation in the numbers of events and of people attending well beyond what was refused

15 years ago. The conditions should specify a maximum noise level in decibels and the over-use of the Estate for entertainment purposes must not be permitted;
(d) another proposal changes the period by which post-event clean-up has to be completed from 12 noon the following day to "as soon as reasonably practicable". This open-ended requirement fails to recognise the real detriment to ordinary visitors being excluded for several days before and after events. The Condition should be "as soon as reasonably practicable and in any event by 48 hours after the end of the event".
(e) 9,999 is far too large for "smaller events". The limit should be 5,000, and even the numbers of those events must be limited in the interests of the Estate.

In summary: While one major change is that, based on frequent complaints of noise caused by the recent concerts, the organisers have decided to end the pop concerts; they have compensated by increasing the number of "major events" to 10 a year, with an unlimited number of "smaller" events of up to 9,999.

> The outcome was all too predictable. The HHS was the only objector, represented by a barrister, who had to summarise the points for Licensing Committee as the chairman had withheld his full document from the committee on the ground it was received too late, and the committee asked no questions. The next stage was for the committee to debate the issue prior to reaching a decision, the deliberations to be broadcast online. But there were no "deliberations" – must a single-sentence statement from each member that the application should be approved. Since there had been long pre-application discussions with Camden with a recommendation to approve, it was just waived through.
>
> Now the licence is in effect, public consultation will be informal and its form decided on by Camden and EH, and there will be no obligation to enforce its outcome; no period will be specified for the set-up, break-down or reinstatement of the areas before and after events; and the application seems to cover a much larger area of Kenwood than the existing licence. We have asked for a condition that EH provide a programme of events proposed, including the number of days of each, projected numbers of attendees, hours of opening and the part of the Estate which will be affected, with a 28-day pubic consultation period. We have also suggested that HHS make a Freedom of Information request to for the documents relating to the pre-application discussions, since we believe that Camden have made a serious error by granting approval in advance of the hearing.

In the meantime, are we faced with seeing the Kenwood Estate becoming a year-long venue for corporate and other high paying events which have little to do with public enjoyment of the landscape? We fear that the Kenwood Estate is being exploited, in possible breach of the terms of the trust on which the Iveagh bequest was made, as a cash cow for the other historic properties in English Heritage's charge most of which do not have the same potential for attracting large crowds to paid events. The Government decreed several years ago that English Heritage must become an independent self-financing organisation by 2022-3. Kenwood is regarded as having the maximum fundraising potential for their London properties and will therefore be under heavy pressure to maximise its earning potential well beyond what would be considered acceptable. The physical estate will be degraded and the public will be unable to freely enjoy the grounds for a considerable part of the year.

Not all bad news from Camden, though. Their Councillor Danny Beales has written to George Eustice, Secretary of State for Environment, requesting **greater protection of privately owned trees**, observing that, whilst planting new trees is essential, current legislation is not strong enough

to protect those we already have. Under current legislation, local authorities are only notified about works to trees located within Conservation Areas or covered by Tree Preservation Orders. Most trees therefore have no protection, and local authorities can only resist loss of trees under certain circumstances with limited weight being given to climate change and sustainability; and if trees are not visible from the public realm, they have even less protection. He argues that the presumption should be to retain trees. Local groups across the Borough have been asked to endorse the letter, which urges the Government:
1. All trees of a certain size should have automatic protection, and local authorities should be notified of works to all trees; not just those in Conservation Area;
2. The presumption should be to retain all trees;
3. Climate change and sustainability should be given greater importance in the assessment of works to trees;
4. The definition of visibility should be revised to include trees not visible from the pubic realm;;
5. If a tree is to be removed it should be obligatory to plant a replacement.

The Highgate Society wrote strongly supporting the proposal, and also suggested:
- "Trees of a certain size" is inadequate; different species grow to different sizes, and size can be a factor of its growing conditions. We suggest "All trees more than ten years old";
- if the removal of a tree can be justified, there should be a requirement to replace it with a "year equivalent" - e.g., if a 50-year-old tree has to be felled, it must be replaced within the immediate area with new trees whose combined ages total 50 years. This protection should be regardless of whether or not the trees are in Conservation Areas.
- There is currently no protection for hedges, even when they are ancient - for example, some on Hampstead Heath could be over 500 years old. While those are well protected under the current management, Camden contains many privet hedges planted as borders to Victorian and Edwardian houses when they were built and are as old as the houses themselves, with heritage and ecological value in their own right. Any hedge more than 150 years old should receive the same protection as trees, and Tree Preservation Orders must be applicable to hedges. This will have significant ecological benefits nationally.

Likewise good for MP Catherine West, who made Parliamentary questions about **tree felling for subsidence claims.**
She asked the Secretary of State for the number of trees removed by local councils each year as a result of insurance claims, and how the public are consulted. He replied that there are no official figures, but they will be introducing the new Duty to Consult on street tree felling, as required in the Environment Act 2021. She also asked what steps he is taking to work with the insurance industry and local authorities to find alternatives to felling under insurance claims. He referred her to the new Duty to Consult on street tree felling he mentioned. They are also producing best practice guidance for local authorities to produce their own local tree and woodland strategies, and protect local treescapes.

A recent study by Exeter University declared **Hampstead Heath** the fourth most important open space in England. We remain an integral member of the City of London's **Hampstead Heath Consultative Committee** – an effective body where, one has to concede, the City usually give far better consideration to our suggestions and concerns that our local authorities. Just a few of the many issues there can be noted:

Some of you may have seen the attractive seasonal interpretation panels sponsored by the Heath and Hampstead Society. A new pinetum has been established at Golders Hill, and the disabled car park there has been improved. The popular and long-established Golders Hill Zoo is repurposing to play a sustainability role, and as a charity will need to raise revenue by suvh iniatiatives as “pay to feed”. Volunteers are given valuable work experience and CPD, and some have gone on to full-time work.

Though popular, the promoting of Weddings on the Heath is very resource-intensive and the city will no longer organise them, but will simply charge for use of the space and hand management of the events to external contractors. For those considering a wedding there, the current charges are Hill Garden £3,800; Pergola £4,000; Belvedere £2,900.

The 10th Affordable Art Fair, though popular, only just broke even. The Marquee costs alone were £800,000. The Constabulary are facing real challenges in the face of changed public behaviour – often not for the better – in the light of intensive covid usage. They try to engage with offenders rather than prosecute every time, and are looking at fixed penalty notices. One aspect is safety, access and security issues following greatly increased unauthorised swimming I the non-swimming ponds. A new changing-room building has been built in the Mixed pond compound, and better access to the water for people with mobility issues.

Too many cyclists seem to consider themselves absolved from the requirement to keep to the official cycle paths, causing major damage from ground compaction and habitat degradation. This has also increased during and after covid and is particularly bad on the Sandy Heath.

Increased foot traffic has also endangered many of the veteran trees as pedestrians walk over their roots and compact the ground. The City have therefore provided unobtrusive barriers around the – notable the famous Hollow Beech above the Viaduct - and this has had a very positive effect on their health and longevity. Fortunately most people seem to appreciate the need to protect these unique features of our heritage.

The City were in danger of losing the International Accreditation for the Lido Athletics track, now badly in need of upgrading. They have now had approval of the grants needed to upgrade the track to International Standards.

In contrast to Haringey’s apparent contempt for public consultation, public reaction to the major redevelopment of the Murphy’s Yard site, opposite the Mansfield Road entrance to the Heath, was so negative – the Society sent is own detailed objection - that Camden and the Developers have decided to withdraw the gigantic scheme and start again. The site is a major opportunity for a very significant residential development, but what was proposed was very badly conceived and we hope a better scheme, focussing on affordable and social housing, will come out of it.

On the subject of licences for Commercial Dog Walkers, the City will, for the first year, issue licenses to all 89 applicants, because if they keep to the original plan for 70 licenses, it is likely CoL will be challenged through the formal process now established, and there is no clear justification for a cap of 70 licenses. Based on 2020 and 2021 Nesting Bird Surveys, the City Ecologist Adrian Brooker has designated several sectors with a high proportion of amber- and red-listed nesting bird species as subject to limited, or no, licences. A few "sensitive" and “no go” areas for dogs with other rare species will also be designated..

Along with Hampstead Heath, **Highgate Wood** has received its 25th successive Green Flag – every year since the scheme was introduced. You will notice that a large new conservation area has been designated, near the playground. This area has been extremely badly eroded and compacted by visitors over the years, and more recently by Forest School activity, and for the next ten years it will be fenced off to allow the understory to recover. There will be no large-scale felling or coppicing this time; simply an opening of the canopy to allow more light to reach the ground level and the long-dormant seed bank there.

Following the Society's efforts the Wood is now within the enlarged Highgate Archaeological Priority Area; this could give additional protection to its many archaeological features and I am pressing the City to work with Historic England to produce a full archaeological survey and strategy for the wood.

The café tendering process has been delayed until 2022/23. The current operators are currently operating satisfactorily, under a tenancy at will.

For those of you who are interested, my own survey of the moths of the Wood is now in its 36th (gulp) year, during which time I have recorded nearly 450 species of moths.

We continue to monitor and, where necessary, comment on many applications for **Tree works**. One which cause some controversy was to fell a fine old Copper Beech at **27 Southwood Lawn Road**, and concerned locals contributed to the cost of a new report on its condition which sadly confirmed serious root decay and significant risk of the tree falling.
Another concern has been Haringey's handling of the redevelopment of **37 Lanchester** Road. This threatened two veteran oak trees; dismayingly, Haringey planners did not regard the trees as veteran and requested a definition, though tree officers agreed they could be veteran trees with high heritage, biodiversity and ecological value. As they had originally been part of a larger Highgate Wood, the City Corporation urged Haringey to apply strict conditions for their protection; inexplicably, they did not and we fear their roots may have been badly affected.