



**THE HONOURABLE SOCIETY OF THE INNER TEMPLE**

**INNER TEMPLE GARDEN**

**TREASURY OFFICE, INNER TEMPLE, LONDON EC4Y 7HL**

**Report on the Consultation on proposed Garden Usage Guidelines: 10 November 2016**

**1. Executive Summary**

The Inn is taking measures to improve the long-term security of the Estate. The same key gave access to perimeter gates and to the Garden. 4,000 keys are estimated to have been issued by the Estates department over the past 15 years but as copies can readily be made the result is that unknown numbers of people in practice have access to the Estate and to the Garden and there is no record of those who are able to do so. Uncontrolled access has given rise to a number of issues.

This summer the fobbed security access system has been extended to encompass the Garden. Access readers for registered fobs will be replacing the current locks on the Easy Access Gate on Crown Office Row, the Middle Temple Lane Pedestrian Gate and the gate opposite 11 King's Bench Walk. The three selected gates will operate using the same fobs and cards that already provide access to the Inn's buildings and the perimeter of the Estate. The remaining three gates are unsuitable for adaptation to fob operation and the locks on these gates will be changed so that they are no longer available for general use.

The fobs are capable of being programmed to allow differing access for different users. Provided records are kept as to who holds a given fob, the system is capable of identifying to which user a fob used to access a given area is registered. The Garden Usage Guidelines include that fobs must not be transferred to others.

The introduction of the fob system will enable the Inn to regain control over who accesses the Garden. In doing so, it is necessary to define what rights of access different categories of user should have, so that the fobs can be programmed appropriately. It was also felt that this would be a good opportunity to articulate the Inn's expectations in respect of use of the Garden by publishing Garden Usage Guidelines.

Draft Garden Usage Guidelines were produced by the Treasury Office in conjunction with the Garden staff and the Porters, reflecting what they understood historic access rights to be, on the footing that the proliferation of keys to the estate perimeter, which in practice also give access to the garden, had "blurred the boundaries". These proposed that Members and Professional Tenants would have access only during public opening hours, whilst Benchers and Residents would continue to have access 24/7, subject to any closures during events or for safety reasons. The Garden Committee was concerned that members and Professional Tenants who had previously been in possession of a key would see this as altering their access rights, rather than as preserving the status quo, and it was therefore agreed that there should be consultation on the draft Garden Usage Guidelines, so that all stakeholders would have an opportunity to comment on the proposals for access before these were implemented.

The Consultation proved valuable in identifying improvements to a number of the proposed Garden Usage Guidelines (our detailed account of what has been changed in the proposals and why appears in section 6 of this report) but the main point of controversy was the issue of access. The full extent to which there has been very widespread *de facto* access became evident in the course of the consultation, as did the fact that many of those Members and Professional Tenants who possess keys were strongly of the view that restricting their access to public opening hours would be a radical and unwarranted change.

That being so, the Garden Committee took the view that the right course was to identify what access is now, as a matter of principle, appropriate for Members and Professional Tenants, in light of all of the evidence gathered in the consultation. A very strong theme in the responses was that many Members and Professional Tenants had enjoyed unrestricted access to the Garden for many years, using it in ways that are entirely consistent with the need of those who live and work around the Garden for peace and quiet, and that there was no justification for depriving of them of that access in future. In particular, whilst there have indeed been a number of problems associated with the Inn's loss of control over access to the Garden, due to the proliferation of keys, there is no good reason to suppose these problems will persist once access is fully controlled by fobs, each of which is held by an identifiable individual who is connected with the Inn.

For the reasons more fully developed in section 6 of this Consultation Report, below, the Garden Committee's recommendation to the Executive Committee is that Benchers, Residents, Professional Tenants and Members of the Inn should all be entitled to access the Garden 24 hours a day/seven days a week. It is expected that by reciprocal arrangement with Middle Temple, their Benchers, Residents, Professional Tenants and Members would be entitled to share this access. Fobs for Inner Temple Benchers and Residents will be updated remotely without need for action on their part. Others within the categories entitled to access who wished to avail themselves of this access would need to attend the Treasury Office to get their fob updated (and to ensure that accurate information is held as to the holder of that fob).

In implementing access along those lines, it will be important that records of fob-holders are maintained in such a way that any individual who abuses that access can, if appropriate, have their access limited or terminated by way of restrictions being set on their fob. However, the fact that any given individual who behaves inappropriately can, under the fob system, now be directly targeted means that it is unnecessary for the Inn to have blanket restrictions on access by Inn users generally, out of a concern that a tiny minority may abuse their access.

We should flag a further issue relating to access which the EC will need to decide. In discussion with the Treasury and the Head Porter, it was suggested to us that the Inn's staff and staff members of Chambers should have the same rights of access as Members and Professional Tenants. Whether Middle Temple staff should also have those rights of access is a matter for agreement between the two Inns. The Garden Committee considers that this is a matter for the Executive Committee to decide (Consultees did not raise it) but we note that the Inns are in a position to ensure that any fobs issued to their own staff are recovered or deactivated in the event that the member of staff leaves the Inn's employment. That is not necessarily the case as regards staff employed by Chambers, who might leave without the Inn being aware of that fact. Issuing fobs to Chambers staff generally might therefore create a risk of proliferation and it is not clear to the Garden Committee that the justifications advanced in the consultation for Members and Professional Tenants having 24/7 access would apply to the staff of Professional Tenants. A suggested compromise might be that a set of chambers within Inner Temple might be allowed to register a limited number of fobs for

senior members of staff (say, 2 or 3) coded for 24/7 access to the Garden. However, the identities of those to whom these staff fobs were issued would need to be recorded with the Treasury Office and chambers would need to take responsibility for returning them, or registering a new holder, should these staff members leave. Again, the Garden Committee considers that, these issues having been identified, it is for the EC to decide to what extent to allow access to members of staff of Inner Temple's Professional Tenants, outside public opening hours.

More broadly, this Consultation has been a very positive opportunity for people to express their enormous appreciation of the Garden. This has been a heartening experience for the Garden team. The responses underline the importance of the Garden in the lives of those connected with the Inn. Some representative comments, emphasising the value placed on the Garden, are attached as an annex to this Report (at p21). This positive contribution may be intangible but no one who reads the consultation responses could doubt its very real value. That is significant in justifying the share of the Inn's resource which upkeep of the Garden demands. It also reminds us of the need to be mindful of striking the right balance between generating income for the Inn from use of the Garden for events and not unduly restricting access to the Garden for our own stakeholders. The Garden Committee has a role to play in this respect.

In practical terms, our approach to the Garden Usage Guidelines needs to reflect the fact that, as members of a community, our relations must necessarily be based on trust and doing the right thing by one another, in a spirit of respect for the Garden, rather than seeking to legislate for every possibility (with the risk that, particularly amongst a community of lawyers, that encourages the sort of response that looks for loopholes). We have therefore sought to keep the Garden Usage Guidelines as simple as possible.

For that reason, we have not included in the Garden Usage Guidelines themselves any detail as to the restrictions that should apply to private hirers but we note that concerns were raised in the Consultation (in particular, in relation to noise). The Garden Usage Guidelines now direct any complaints in this regard to the Treasury Office or Porter. However, our discussions with the Catering Department will include both the extent of closures for events and the terms that are imposed on hirers, with a view to striking a balance in this respect in a collaborative manner.

The proposed Garden Usage Guidelines, as amended in light of the Consultation, are set out in the next section. We invite the Executive Committee to approve them for publication. We will place them on the Main Garden Gate and on the website and copies may be handed out by the Treasury Office when fobs are supplied or reprogrammed. We will review them a year after they are adopted, or sooner if there is evidence of any serious difficulty. We also propose to make this Report available to any stakeholders who may wish to see it, as a means of reporting back on the outcome of the consultation (and, to that end, we have sent a copy to the BLC and TRA and would suggest that copies also be sent to Professional Tenants).

## 2. Garden Usage Guidelines (as revised in light of Consultation)

The Inner Temple Garden is open for respectful enjoyment and quiet use, please be aware this is a working environment surrounded by Barristers Chambers. Visitors to the Garden are reminded to take their litter away with them.

1. The Garden is usually open to the public 12.30-3pm Monday to Friday. The Main Garden Gate will be opened during public access hours.
2. All users are expected to exercise consideration for nearby Chambers and Residents, and for other Garden users, and to leave the Garden as they find it. Anyone considered by the Head Gardener or Porters to be making unreasonable use of the Garden may be asked to leave.
3. Access by fob-holders:
  - (a) Benchers, Residents, Members and Professional Tenants of Inner and Middle Temple [and Authorised Staff] may access the Garden using their fob 7 days a week/ 24 hours a day, except during private hires (see point 5), or at times when the Garden is closed for safety reasons (see point 6). Please refer to the Treasury Office in the event that your fob has not yet been programmed to permit you that access. [Authorised Staff means staff of either Inner or Middle Temple and any staff of Professional tenants to whom access may be granted by the Treasury Office in accordance with its policy from time to time.] *[Note: If the EC decides to give 24/7 access to staff of Inner and/or Middle Temple or any staff of Professional Tenants the wording of this Guideline would require amendment by the addition of the words in brackets. See section 6 below for further details. It is suggested that any detailed requirements for controlling fobs issued to staff can sit in a policy held by the Treasury rather than being set out in the Guidelines.]*
  - (b) Fob access is restricted to the gates equipped with fob-readers and there is no right of access through other gates.
  - (c) For security reasons, a record will be kept of fob-holders. Fobs are personal to the registered fob-holder and must not be transferred. All fob holders are reminded that they must check that the gate closes behind them. Restrictions may be imposed on access by any individual fob-holder who does not observe these Garden Guidelines.
4. Fob-holders are expected to use good sense in regulating their own use of the Garden in ways that are consistent with the peaceful enjoyment of all. These Garden Guidelines do not attempt to legislate for all circumstances. Reasonable use of the Garden by fob-holders does not, for example, extend to holding Chambers events in the Garden without either prior agreement with the Treasury Office or a private hire being agreed with the Catering Department.
5. Private hires:
  - (a) During private hires of the Garden, access to the Garden will be restricted to Benchers and Residents, who are asked to respect the exclusivity expected by the hirer and the need for contractors to have unimpeded access when setting up for and clearing up after events.

(b) At such times, Benchers and Residents are asked to refrain from picnicking and other activities on the lawn and main pathway and are asked to restrict their use of the Garden to the Broadwalk. Please access and egress the Garden through the gates at 11 KBW and Middle Temple Lane and remain on the Broadwalk during periods of Garden closure related to events.

(c) All dogs must remain on leads in the event of a private event.

(d) Private hires of the Garden are subject to contractual conditions of hire which are intended to minimise disturbance to those living and working around the Garden. In the event of problems related to private hires please notify the Treasury Office or the Duty Porter.

6. When the Head Gardener or Porter considers closure of the Garden necessary for safety reasons, the Garden will be closed to the public and all fob holders until it is safe to reopen. Closures could be due to winds in excess of the limit set by the Inn's safety policy, pesticide applications, lawn maintenance or security breaches.
7. In the case of Garden closure, we encourage fob-holders to make use of other areas available on the Estate.
8. During the Inn's Christmas closure the Garden will be locked; however, fob holders will have access through the Easy Access Gate on Crown Office Row [*This amendment will not come into effect until self-closing mechanisms on the fobbed gates are installed. Until then, access during the Inn's Christmas closure will be restricted to Residents.*]
9. Only dogs belonging to Residents of Inner and Middle Temple are allowed into the Garden. All dog foul must be disposed of in the dog bins provided. Damage to flower borders and long grass areas must be avoided. During public opening, dogs should be kept on a lead or otherwise under appropriate control.
10. Alcohol is not permitted in the Garden during public opening hours.
11. Barbeques are not permitted in the Garden at any time.
12. Exercise classes require prior consent from the Head Gardener. Outside public opening hours, children may play ball games under adult supervision, provided they do so with due respect for the Garden and for other users. Users of games provided by the Garden (i.e. table tennis and, at certain times of year, chess and croquet) are asked to keep noise to a courteous level and respect all horticultural amenities. Ball games are not otherwise permitted.

### **3. The background to the Consultation**

Various factors have influenced the need to improve security in the Garden and articulate garden usage guidelines, particularly relating to access after business hours and extreme proliferation of keys. The Porters have observed that:

“Generally the Inn has lost control of the garden. Key holders use the Garden as and when they see fit, regardless of any security/safety notices that are posted.”

Some examples of the difficulties which the Porters have encountered include:

1. No record of who has a key, as keys can be cut externally. Many people who leave the Temple retain their keys. Paul Simmonds, Inn’s Works Supervisor, estimated that upward of 4,000 keys have been cut by the Estate Department over the last fifteen years. He has worked for the Inn for over 30 years and for the duration of this period the keys have not been patented security keys therefore people are able to make copies beyond the Inn’s knowledge. Middle Temple Estates Department confirmed that they have approximately 900 keys in circulation, which is the same key as ours.
2. Embankment Gate (in Gardeners yard and perimeter gate) onto the Victoria Embankment is being left open at least 2 times/ week, particularly out of hours and after 9pm security check, and has lately been found purposefully jammed open over the weekend.
3. Non-key holders being let into the Garden by key holders, then sometimes mistakenly being locked in.
4. Key holders crashing Garden parties; waiters innocently offering drinks to non-invited guests as they do not know the difference.
5. Key holders using the Garden when it is officially closed for security/safety reasons, essential maintenance or a catering event, including ignoring signs and leaving the gates open for others resulting in problems with safely undertaking the necessary works.
6. Key holders using the Garden after dark for a variety of “meetings”.
7. Unofficial drinks parties held in the Garden by members of chambers.
8. Non-residents exercising dogs; ignoring signs on to each Estate perimeter stating ‘No dogs allowed for non-resident owners’, especially at weekends.
9. Dog walking during Garden parties.
10. Evidence of overnight drug use and other inappropriate uses of the Garden.

The intention behind the draft guidelines was to clarify rights of access to the Garden in light of these types of issues so that the Inn’s staff are then better able to enforce an agreed set of guidelines on Garden use. Moreover, Middle Temple plans to introduce a fobbed security access system to their Garden gates in 2017 to gain control of who has access and to standardise the access to the Middle Temple estate. All of Middle Temple’s perimeter gates are already controlled with a fob security system. It will be important that there is a “joined up approach” to access across both Estates.

#### 4. The Consultation process

The Treasury Office, together with the Garden staff and Porters, produced an initial draft of Garden Usage Guidelines. These were then put out to consultation with Inner and Middle Temple Residents, the Temple Residents Association (TRA), all professional tenants and members of the Inner Temple. Residents were informed via letter and the TRA and Professional Tenants were emailed; the project and consultation was published in InnerView, on the Inn's website and Twitter. The consultation was open for 6 weeks and comments were received via email.

The stakeholders to the Garden include:

- Inner and Middle Temple Residents - 52 residential flats at Inner Temple and 43 at Middle Temple
- Inner Temple Benchers - 532
- Professional Tenants of Inner Temple - 33 Chambers, 3 Commercial organisations, 5 Legal bodies
- Inner Temple members – approximately 19,000
- Staff members working in Chambers of Inner and Middle Temple- quantity unknown
- Inner and Middle Temple staff – approximately 85 staff Inner Temple, including Temple Church and Temple Music Foundation plus approximately 95 staff Middle Temple
- Members of the public – up to 600 on a sunny day.

We received 88 individual e-mails and ten group presentations in response to the proposed guidelines. We also received group representation from the Temple Residents Association (TRA), the Bar Liaison Committee (BLC) and eight Chambers, which are adjacent to the Garden. We set out below a summary categorising the responses by stakeholder type and the main concerns raised. No Consultee supported restricting access for members and professional tenants to public opening hours.

<b>Summary of emails received during consultation</b>	
Total individual emails	88
Total group representation emails	10

<b>Breakdown of emails received</b>	
Tenant – individual	84
Tenant - group representation	9
Resident – individual	3

Resident - group representation	1
Member (if not tenant or resident)	1

<b>Summary of comments received from Benchers, Members, Professional Tenants and Residents</b>		
<b>Comments on originally proposed guidelines</b>	<b>Individual</b>	<b>Group representation</b>
Favouring 24/7 access	42	4
Favouring extended access (beyond public hours)	37	5
Favouring weekend access	35	5
Identifying ease of commute as a relevant factor in favour of access	15	4
Identifying payment of rent as a relevant factor in favour of access (i.e. that as Professional Tenants' rent contributes to garden upkeep, this is a factor pointing to access)	28	1
Identifying well-being at the Bar as a relevant factor in favour of access	29	0
Identifying elitism as an argument against having different rules for Benchers/Residents compared to Professional Tenants/ Members	13	0
Raising issues as to Private Hire, (including expressing discontent about the noise disturbance, the exclusivity terms of the private hire, the number of Garden closures they cause and the proliferation of hires)	11	1
Requesting access during the Christmas closure	8	3
Commenting on issues relating to dogs (location of dog bins and keeping dogs away from horticultural amenities)	2	0
Taking issue with ban on alcohol consumption in public opening hours	2	0

Suggesting BBQ should be permitted	1	0
Comments from Professional Tenants in favour of permitting Exercise Classes	4	0
Comments favouring permitting Ball Games (in particular, for children)	6	0
Comments relating to refuse facilities, (contradictory comments: one favouring provision of bins and one welcoming lack of bins)	2	0
Comments wishing to continue use of Embankment Gate (due to be decommissioned)	7	0
<b>Other</b>		
Positive comments on the garden, showing enormous appreciation	32	4

The Master of the Garden has carefully considered the responses and has discussed them with the Garden Committee. As a result, the Garden Committee has produced a revised version of the Garden Usage Guidelines, set out in section 2 above, which the Committee recommends to the Executive Committee for adoption. We set out in section 6 below an explanation for the position we have reached in light of our consideration of the Consultation responses and other evidence gathered by the Garden team during the Consultation.

The Sub-Treasurer has proposed that this recommendation is considered by the Executive Committee (EC) at their meeting on the 15 November. If the EC decides that no further revisions are necessary, the Garden Usage Guidelines could be circulated and then ratified by Bench Table meeting on 8 December. In the event that further revisions are deemed necessary by the EC on 15 November, updated proposals will be considered at the EC meeting of 13 December and the revised Garden Usage Guidelines would have to be ratified by Bench Table on 26 January 2017.

Once the Garden Usage Guidelines are approved by Bench Table, all stakeholders will be informed of the final version via a mail-out from the Treasury Office.

## **5. Method of Implementation**

Residents and Benchers fobs will be remotely updated, when the system goes live. Inner and Middle Temple staff will also have their fobs remotely updated.

Assuming that the Inn ratifies the proposals in this paper for allowing access to those Professional Tenants of the Inn and Members of the Inn who wish to have it, and (by way of reciprocity) for Professional Tenants and Members of Middle Temple, any fob-holders in these categories will need to come in to the Treasury Office for their fob to be updated. The same will be true in the event that the decision is taken to grant access to Authorised Staff (see, further, the discussion in section 6 below). Individuals who currently have a fob to

access the Estate and who fall within the categories to whom the Inn has decided to grant access will be able to have the fob activated for the Garden system by coming into the Treasury Office in person, once the system has gone live. At the point of updating the fob to grant access, a record should be kept which enables the individual holder of the relevant fob to be identified and contacted.

The ratified Garden Usage Guidelines will be published on the Inn's website, in the notice box on the Main Garden Gate and everyone who updates their fob or requests a fob providing access to the Garden will be issued with a copy.

The Garden Committee intends to review the operation of the Garden Guidelines after 12 months of operation or sooner if there is evidence of any serious difficulty.

Fob-readers and automatic closing mechanisms will be fitted to the Easy Access Gate on Crown Office Row, the Middle Temple Lane Pedestrian Gate and the gate opposite 11 King's Bench Walk. It should be noted that some of the Garden gates are unsuitable for conversion to the fob system. The added security provided by fob-controlled access will be undermined if there continues to be access via these gates. The locks on these gates will therefore be changed once the Garden Guidelines have been approved and the fob system is live, so that existing keys will no longer give access to them:

The Main Garden Gate on Crown Office Row is heritage listed, double-winged and it is therefore difficult to retro-fit a fob system to its double wings. This gate will be opened to provide daily public and private hire access. There will no longer be access using keys.

13 Kings Bench Walk is double-winged and it is therefore difficult to retro-fit a fob system.

Embankment Gate in Gardener's Yard is heritage listed, extremely heavy, and is a long distance from an electricity source, making it unsuitable for fob access. Moreover, this gate has caused injuries to users and is a perimeter gate, not covered by the Inn's CCTV system, and therefore a greater security risk. A number of the security issues identified by the Porters and Garden staff have specifically related to this gate not being closed properly or even being deliberately blocked open. There will therefore no longer be access through this gate, other than deliveries for the Garden team or events.

## **6. Discussion and conclusions on Garden Guidelines**

We set out below, topic by topic, our detailed discussion of the draft Garden Guidelines (originally proposed Guidelines in bold) and our proposed amendments to these in light of the Consultation responses and relevant evidence (revised Guidelines in italics).

### **Public access:**

**The Garden is usually open to the public 12.30-3pm Monday to Friday.**

*No amendment proposed, save for clarifying that the Main Garden Gate will be opened for public access but will not be accessible via the fob system.*

We have received one comment by a Professional Tenant inviting the Inn to consider opening the Garden to the public for the full working day, from 9am to 6pm. The Garden Committee

considers that the current public opening hours strike a reasonable balance between accessibility by the general public and maintaining peace and quiet for the needs of those living and working in the vicinity of the Garden. They are consistent with the public opening hours offered by other Inns. We therefore do not propose any change in this respect.

For comparison:

<b>Lincoln’s Inn</b>	Mon-Fri 12-2.30pm	Closed on public holidays
<b>Gray’s Inn</b>	Mon-Fri 12-2.30pm	Closed on public holidays
<b>Middle Temple</b>	Mon-Fri 12-3pm In May, June, July and Sept	Closed on public holidays Closed in August for lawn repairs

**Access by Members, Professional Tenants, Benchers and Residents:**

**Members of the Inn and Professional Tenants can use the Garden during public opening hours. Written applications for additional access outside of these hours can be made to the Treasury Office.**

**Benchers and Residents of Inner Temple and Middle Temple have access to the Garden 7 days per week/ 24 hours a day.**

*These proposals have been amended as follows:*

*Access by fob-holders:*

*(a) Benchers, Residents, Members and Professional Tenants of Inner and Middle Temple [and Authorised Staff] may access the Garden using their fob 7 days a week/ 24 hours a day, except during private hires (see point 5), or at times when the Garden is closed for safety reasons (see point 6). Please refer to the Treasury Office in the event that your fob has not yet been programmed to permit you that access. [Authorised Staff means staff of either Inner or Middle Temple and any staff of Professional tenants to whom access may be granted by the Treasury Office in accordance with its policy from time to time.] [Note: If the EC decides to give 24/7 access to staff of Inner and/or Middle Temple or any staff of Professional Tenants the wording of this Guideline would require amendment by the addition of the words in brackets. See below for further details. It is suggested that any detailed requirements for controlling fobs issued to staff can sit in a policy held by the Treasury rather than being set out in the Guidelines.]*

*(b) Fob access is restricted to the gates equipped with fob-readers and there is no right of access through other gates.*

*(c) For security reasons, a record will be kept of fob-holders. Fobs are personal to the fob-holder and must not be transferred. All fob holders are reminded that they must check that the gate closes behind them. Restrictions may be imposed on access by any individual fob-holder who does not observe these Guidelines.*

The original proposal was not intended to alter rights of access but to reflect what the Treasury staff, Garden staff and Porters understood historic access rights to be. It was because the Garden Committee was concerned that this proposal would be seen as altering access rights, rather than as preserving the status quo, that it was thought essential to consult. That has indeed proved to be the case. It rapidly became apparent from consultation responses that many Professional Tenants and Members had in practice had unlimited access to the Garden, through holding a key, and strongly objected to losing that access.

The majority of Consultation responses we received were from members and Professional Tenants who were concerned about the impact of this proposal. See the summary in section 4 above for a breakdown of the responses. The themes that emerged strongly from their responses included:

- that they are a responsible group of users who can be expected not to abuse access;
- that it is not necessary to restrict access by Members and Professional Tenants in order to remedy any issues that have resulted from the uncontrolled proliferation of keys, because the introduction of a fob-system will itself address any such issues;
- that Professional Tenants regard access to the Garden as a good reason to remain in the Inn (and believe that as their rents contribute to the upkeep of the Garden they should have access to it);
- that the resources of the Inn, including the Garden, are for the benefit of Members;
- that an approach that restricts access to Benchers and Residents is elitist and out of step with the egalitarian ethos of the Inn;
- above all, that Members and Professional Tenants hugely appreciate the Garden and value their ability to seek out (without restriction) the haven of the Garden in often stressful and lengthy working days, including when working at weekends.

Attached as an Annex (p.21 et seq) are extracts which illustrate the strength of feeling on this latter point, in particular. The benefits for the psychological well-being of busy practitioners of being able to use the Garden for respite from the stresses of work were particularly emphasised by many consultees. Practical considerations were also raised, related to ease of access to and from chambers, via the Garden.

Restricting Garden access for Members and Professional Tenants to public opening hours was strongly opposed. The alternatives proposed by most consultees were, either, greatly extended hours of access, well beyond public opening hours, or allowing 24/7 access for all categories of fob-holder.

The Inn's perimeter gates are open from 6.30am – 8.30pm Monday - Friday, outside these hours access is with an Estate key or via Tudor Street. The exception to this is Middle Temple Lane Embankment gGates (one route to Temple tube station):

- Outside these hours this gate cannot be opened with an Estate key.
- This gate is governed by Middle Temple.
- Middle Temple and Inner Temple Residents can currently request access via this gate outside 6.30am-8.30pm Monday - Friday.

In light of the hours during which the perimeter gates are open, the Garden Committee considered the alternatives of allowing Members and Professional Tenants access to the Garden between 6.30am and 8.30pm or allowing 24/7 access for all.

The TRA are understandably concerned with the security of the Garden. The Garden Committee has given this careful consideration and believes that the introduction of access controlled by fobs will greatly improve security over the present position. The group of fob-holders will be an identifiable constituency and the system would allow any individual who abuses their rights of access to have their access curtailed (since the system can be programmed to limit that individual's fob). Fitting gates with automatic closing devices and terminating access through the Embankment Gate will also help to ensure that unauthorised individuals do not gain access. These changes will therefore transform the position as compared with a situation where the numbers of those with the means of access is many thousands and their identity cannot be known. It should therefore be the case that Residents will be able to have confidence that anyone in the Garden after public opening hours will be a fob-holder with a right to access the Garden.

Whilst, therefore, there have been a number of issues (identified in section 3 above) created by uncontrolled access, it is reasonable to assume that these will be adequately addressed by the introduction of fob controlled access, limiting access outside public opening hours to those who are known to and have a connection with the Inn. That being so, the Garden Committee did not consider that there was a demonstrated need to restrict the hours during which Members and Professional Tenants enjoy access. It is simpler and more egalitarian to have the same rights of access for all fob-holders. That is also the approach currently taken by other Inns.

For comparison:

<b>Lincoln's Inn</b>	24/7 access for Members, Residents and Professional Tenants
<b>Gray's Inn</b>	24/7 access for Members, Residents and Professional Tenants
<b>Middle Temple</b>	24/7 access for Members, Residents and Professional Tenants

If Members or Professional Tenants were to make use of 24/7 access under the fob system in ways that adversely impacted Residents, then the question of whether to restrict their access to specified hours could be revisited. Patterns of use at present do not suggest this is likely. However, in case the volume or pattern of usage changes in light of the fob system, it would be sensible to review the Garden Guidelines after a year in operation, in light of evidence of any problems encountered (sooner than that if any serious difficulty is experienced). Given that this proposal differs from the more restrictive approach originally consulted upon, the views of the TRA were specifically sought. It is understood that the TRA do not object to 24/7 access for all fob-holders, on the footing that fobs will not be allowed to proliferate in an uncontrolled manner and the system therefore offers greater security for Residents than before.

The Main Gate will no longer be accessible outside public opening hours but as the easy Access gate will be on the fob system this is not considered to adversely impact users. It should be noted, however, that there will be one significant change to access. Some Professional Tenants and Residents in Kings Bench Walk (KBW) use the Embankment Gate in the Gardeners Yard for access from the Victoria Embankment to KBW. This gate will not be on the fob system and the lock on it will be changed so that it can only be used by Gardening, when receiving deliveries. It will therefore no longer be accessible by others. This is due to the following health and safety reasons:

- It is extremely heavy and has caused injuries to users.
- Alterations to it are very difficult and costly, since the gate is heritage listed.
- It is not practical to place it on the fob system given these features and its distance from an electrical supply.
- It is a perimeter gate which is frequently found to have been left open (at least 2 times/ week, particularly out of hours and after 9pm security check) and has lately even been found purposefully jammed open over the weekend. This creates significant security risks.
- The fact the gate is not covered by the Inn's CCTV system makes these security issues even more significant.
- Permitting continued access through this gate is therefore not considered to be consistent with maintaining security.

Seven Professional Tenants made the point that they enjoyed the current use of the Embankment Gate and would like to maintain this access point. However as alternative access is available via Tudor St to Blackfriars or along the Embankment from Middle Temple Lane (including reaching Middle Temple Lane through the Garden) this is not considered to outweigh the security considerations.

It is assumed that if 24/7 access is given to Members and Professional Tenants of Inner Temple, as the Garden Committee recommends, then this would also be extended to Members and Professional Tenants of Middle Temple, on the basis of reciprocity. Not all of them may choose to avail themselves of this access. Those that wished to do so would need to ask for their fob to be updated.

A further issue requiring decision by the EC is that of access for staff. In discussion with the Treasury and the Head Porter, it was suggested to us that the Inn's staff and staff members of Chambers should have the same rights of access as Members and Professional Tenants. Whether Middle Temple staff should also have those rights of access is a matter for agreement between the two Inns.

The Garden Committee considers that this is a matter for the Executive Committee to decide (Consultees did not raise it) but we note that the Inns are in a position to ensure that any fobs issued to their own staff are recovered or deactivated in the event that the member of staff leaves the Inn's employment. That is not necessarily the case as regards staff employed by Chambers, who might leave without the Inn being aware of that fact (and not all of whom will necessarily remain employed within the Inn long term). Issuing fobs to Chambers staff generally might therefore create a risk of proliferation and it is not clear to the Garden

Committee that the justifications advanced in the consultation for Members and Professional Tenants having 24/7 access would apply to the staff of Professional Tenants.

A compromise might be that a set of chambers within Inner Temple might be allowed to register a limited number of fobs for senior members of staff (say, 2 or 3) coded for 24/7 access to the Garden. However, the identities of those individuals to whom these staff fobs were issued would need to be recorded with the Treasury Office and their chambers would need to take responsibility for returning them, or registering a new holder, should these staff members leave. Again, the Garden Committee considers that, these issues having been identified, it is for the EC to decide whether and to what extent to allow access to members of staff of Inner Temple's Professional Tenants, outside public opening hours.

In order not to overcomplicate the wording of the Garden Usage Guidelines, we suggest that the detail as to who may qualify as "Authorised Staff" for access to the Garden (and the mechanisms for registering such users, any limits on numbers etc) be left to a policy maintained by the Treasury Office. If the decision is taken to allow Professional Tenants to obtain access for senior, named staff members, the conditions attached to that (limit on numbers, requirements if someone leaves) can be communicated to them at the same time as the Garden Usage Guidelines, in final form, are communicated.

We note that the same principle should apply more generally to fobs which give access to the Estate (i.e. that Chambers should ensure these are returned if individuals leave employment and that the information held by the Inn about the fob-holder is updated if they move within the Inns). There will otherwise be a risk that access by way of fobs proliferates, over time, in the way that has happened with keys.

### **Expectations of users:**

**Users are expected to exercise consideration for nearby Chambers and Residents and to leave the Garden as they find it. Anyone considered by the Head Gardener or Porters to be making unreasonable use of the Garden may be asked to leave.**

*Proposed amendment: we have moved this up the list of Guidelines and added a reference to the need for consideration for other Garden users.*

*We have also added a paragraph articulating expectations of fob-holders, as follows:*

*Fob-holders are expected to use good sense in regulating their own use of the Garden in ways that are consistent with the peaceful enjoyment of all. These Garden Guidelines do not attempt to legislate for all circumstances. Reasonable use of the Garden by fob-holders does not, for example, extend to holding Chambers events in the Garden without either prior agreement with the Treasury Office or a private hire being agreed with the Catering Department.*

In practice the Guidelines cannot legislate for everything and much must be left to good sense and the discretion of the Garden staff and Porters in enforcing reasonable limits in respect of use. For future consideration is whether a no smoking policy should be introduced, given the impact on Garden staff and non-smoking Garden users from cigarette smoke and inconsiderate disposal of cigarette butts. It is common practise that smoking is not permitted in public or private gardens, for example at National Trust properties, Botanic Gardens and private gardens opened the National Garden Scheme.

## **Private hire:**

**During private hires of the Garden, Benchers and Residents are asked to respect the exclusivity expected by the hirer and the need for contractors to have unimpeded access when setting up for and clearing up after events. At such times, Benchers and Residents are asked to refrain from picnicking and other activities on the lawn and main pathway and are asked to restrict their use of the Garden to the Broadwalk. Please access and egress the Garden through the gates at 11 KBW and Middle Temple Lane and remain on the Broadwalk. All dogs must remain on leads in the event of a private event.**

*Proposed amendment: we have applied this to all job-holders who have access to the Garden, split it into separate paragraphs for clarity and added a paragraph directing any complaints related to events to the Porter or Catering department.*

### *Private hires:*

*(a) During private hires of the Garden, access to the Garden will be restricted to Benchers and Residents, who are asked to respect the exclusivity expected by the hirer and the need for contractors to have unimpeded access when setting up for and clearing up after events.*

*(b) At such times, Benchers and Residents are asked to refrain from picnicking and other activities on the lawn and main pathway and are asked to restrict their use of the Garden to the Broadwalk. Please access and egress the Garden through the gates at 11 KBW and Middle Temple Lane and remain on the Broadwalk during periods of Garden closure related to events.*

*(c) All dogs must remain on leads in the event of a private event.*

*(d) Private hires of the Garden are subject to contractual conditions of hire which are intended to prevent nuisance to those living and working around the Garden. In the event of problems related to private hires please notify the Duty Porter or the Treasury Office.*

Contract hire terms of the Garden, and all event spaces within the Inn, specify exclusivity of the venue to the hirer for the duration of the event, for example stating that: “This contract is based on exclusive hire of the marquee and gardens between the hours stated above.” There have been complaints by hirers of “gate-crashing” of events and free-loading on the bar at events.

The event season within the Garden is approximately six weeks in duration, usually from June to mid-July. Within each of these weeks, the Garden is normally hired for 3 – 4 nights. The revenue generated in 2016 from an extended Garden hire<sup>1</sup> season was £385,103 (2015: £269,776). This year, we also held some Garden parties in September, which generated additional revenue of £74,180. The total of £459,283 represents 2.7% of the Inn’s budgeted revenue for 2016. The main source of revenue is of course rent, at 75%. The Inn’s Catering, including Garden hires, contributes a further 15% towards the Inn’s total revenue. Some Professional Tenants made the point in their consultation responses that their rent contributes

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<sup>1</sup> In 2016, the length of the marquee season was extended to 31 days to allow 7 more days for private hires, which this revenue can be attributed to. For 2017, it has been agreed that the marquee season will return to 27 days.

to the budget of the Garden. As reflected in the figures above, rental income contributes 75% of the Inn's revenue, compared with 15% from Catering functions at the Inn. A number of Consultation responses commented adversely on the extent to which access to the Garden is affected by events and/or on noise disturbance associated with events (see table in section 4 above). We received nine comments from Professional Tenants, two comments from Residents and one group representation from the TRA regarding private hire, particularly addressing noise disturbance and the proliferation of commercial hires. More broadly, the Consultation responses, many of which emphasised the benefits to stakeholders from access to the Garden, are a reminder that events can have an adverse impact on stakeholders, whether through noise or loss of access, which has to be held in balance with the benefit of the income they generate. This is pertinent when considering whether the numbers of such events should be allowed to increase or held at current levels.

In 2016, the noise limit was set at 83 decibels by the Sub-Treasurer, following a recommendation from the Catering Department, who state that this is an industry standard level. The Treasury Office and Garden receive up to 6 informal noise complaints per year, mostly from Paper Buildings and Residents in Harcourt and Temple Garden Building.

The TRA commented that 83 decibels equates to the noise generated by a diesel train at 45 mph at 100 ft. from the listener. The TRA suggested adding an additional guideline to be included:

“The Garden shall not be used for private hires after [ ] at night [weekday/weekend]; and live or amplified music (a) shall not exceed [ ] decibels LA Max and Laeq 1 hour measured at the façade of a building adjacent to the garden] not (b) be played after [ ] pm. Notices will be displayed directing those using the Garden to the Tudor Street Gate when leaving the Garden.”

The Garden Committee considers that the conditions to be imposed on hirers are a matter for the Catering department to specify in the contracts that it enters into with hirers and it is not the function of the Garden Guidelines to specify these. However, we have, as noted above, included in the Guidelines reference to the avenue for raising any complaints about nuisance caused by private hire events. It will then be a matter for the Catering department to investigate whether the hirer observed the limits set or whether the limits themselves need review. The Garden Committee's remit includes discussing and agreeing with the Catering Department, in a collaborative manner, how best to manage the impact on Garden users from events (whether through loss of access during events or the conditions imposed on private hires). The Garden Committee would appreciate a better understanding of the approach the Catering department currently takes to setting limits on private hire and has suggested this be explained at a future meeting. The issue of whether there should be a different limit in respect of noise can be explored as part of that discussion. It has already been agreed that the Marquee period in 2017 will return to 27 days (rather than the increase to 31 days which was permitted in 2016).

Some responses were received from Benchers objecting to restricting their access during events. However, the Treasury and Catering Department have stressed that exclusivity is an attractive feature for hirers. This loss of access is therefore a price that must be paid in return for generating income from events on these terms. As it is, permitting Residents to use the Broadwalk during the hours when the Garden is actively used for a private hire (as we have proposed) is, strictly speaking, inconsistent with the exclusivity term of the hire contract. That said, it seems unlikely that use by these limited numbers of individuals, restricted in

these terms, would be objected to by hirers. Principally, experience shows that it will be Residents that wish to exercise their dogs. At times of an event, it is considered reasonable to require dogs to be on the lead.

In addition, the TRA also raised that until 2015 they could use the Peony Garden during a private hire, however it has been explained that since guest toilets have been installed at the back of the Peony Garden, this area is no longer available to Residents during events.

As a comparison the other Inns' operate as follows in these circumstances:

<b>Lincoln's Inn</b>	Similar issues to Inner Temple Garden with gate crashing of parties etc. In cases of private hire notices are put up on the gate and all fob readers deactivated. No entry for any fob holders at all during private hire.
<b>Gray's Inn</b>	No fixed rule on access and those with keys can still use. Have had no need to address this as no previous abuse. Only occasionally close to the public at lunchtimes if there is a complicated and busy set-up for an event.
<b>Middle Temple</b>	The Garden is sold exclusively and closed when there are private functions. This needs little enforcing as when events are on at Middle Temple stakeholders come to use Inner Temple Garden. It was also noted that due to the small size of the Garden it is more intrusive and obvious when passing through a private function. They very much try to keep the Garden open during the set-up period, however.

Closures relating to private hire can be divided into three categories, the length of the closure depending on the risk assessment or as requested by the Catering Department:

- Full day closures, e.g. when erecting and taking down a marquee structure or major lawn repairs after summer marquee season.
- Public lunchtime closures, e.g. for extensive event set-ups.
- Evening closures due to the event itself taking place (see table below for details).

The Garden Committee suggests that it would be helpful for the Committee to review together with the Catering Department the criteria for, and duration of, closures. The table below illustrates the fact that event-related closures have increased significantly since 2013 and in particular the frequency of full day closures has increased.

<b>Summer Event Season</b>				
	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>
<b>Closures – full day*</b>	2	6	5	9**
<b>Closures – public opening hours only</b>	2	2	3	4
<b>Closures – evening</b>	17	15	17	21

\*Please note that during all these closures, prior to the fob system, we have no means of enforcing it with key holders beyond our advice.

\*\* Longer closure due to contracted major works needed after longer marquee season.

For the last three years, the Garden staff have posted signage relating to private hires at the Main Garden Gate the day before any public Garden closure as well as on the day of the closure, which has proven particularly helpful to re-direct lunchtime visitors. It is proposed that a list of event closures will be published in the Gardens’ notice box, on the Main Gate, and Residents will be sent a mail-out at the beginning of the Garden party season. This will enable users to plan ahead of time to use alternate spaces when the Garden is not available. The Porters have suggested that they could remotely program the security access system, so that the fobbed Garden gates could be locked-down 1 hour before the start of each event and released again 1 hour after each event, whilst permitting Residents access across the Broadwalk.

**Closure for safety reasons:**

**When the Head Gardener or Porters consider closure of the Garden necessary for safety reasons, the Garden will be closed to the public and all fob access will be remotely deactivated for the specified period of closure. Such closures could be due to winds over 30mph, pesticide spraying, and lawn maintenance or security breaches.**

*Proposed amendment: When the Head Gardener or Porter considers closure of the Garden necessary for safety reasons, the Garden will be closed to the public and all fob holders until it is safe to reopen. Closures could be due to winds in excess of the limit set by the Inn’s safety policy, pesticide applications, lawn maintenance or security breaches.*

On occasion the Garden is closed for safety reasons such as:

- High winds.
- Essential work with heavy machinery, this usually occurs during the essential lawn repairs after the summer marquee season.
- Pesticide application.

<b>Garden Maintenance closures *</b>				
	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>
<b>Winds</b>	only partial closures on ad hoc basis			
<b>Herbicide</b>	1 days	0	0	1 days

\*Please note that prior to the fob system, the Garden team had no means of enforcing such closures on key holders beyond notices advising closure. Closures due to major lawn repairs and in relation to marquees are set out in the table of event related closures.

There was a perception on the part of some Consultees that closures were made too readily and for the convenience of the staff rather than genuine safety reasons. This concern does not appear to be borne out by the table above. The TRA commented that all health and safety related closures should be in consultation with the Master of the Garden. This is not

considered practicable as it can be the case that such decisions must be taken urgently. Rather, the Garden Committee proposes to review the health and safety policy and ensure that this policy reflects good practice and that closure decisions are taken in line with the policy. As a specific example, it has been suggested that a 30 mile an hour limit in respect of wind may be too conservative. This will be further investigated and if the evidence is found to justify a different approach that will be adopted. However, the 30 miles per hour wind speed limit was a recommendation in 2013 from Nymans, a National Trust Garden. Meantime, the Guideline has been reworded so that the Guideline does not need to be amended, depending on how the safety policy may be amended in future.

Some Consultees suggested that they should be entitled to proceed at their own risk, despite a closure notice. Enquiries were made of the Inn's insurer about this request and the advice was that if the Inn allowed Residents to enter the Garden when it was generally "locked down" due to high winds, for example, then a warning on the gate that they did so at their own risk would not prevent the Inn from being liable for death or injury from falling branches and the like. It was also pointed out that the Inn needed to take reasonable steps to protect insurers' position and the Residents.

With the introduction of the fob system, the Porters will be able to remotely restrict access for all fob-holders when such tasks are undertaken. This will prevent individuals ignoring safety notices (as has happened in the past). The Garden team will continue their practice of notifying stakeholders about Garden maintenance related closures by putting out signage on garden gates and posting a message on Twitter and/or on the Inn's website.

### **Alternate spaces:**

**In the case of Garden closure, we encourage Residents and Members and Tenants to make use of alternative green spaces available on the Estate such as Hare Court, Goldsmith Square, Elm Court and Fountain Court.**

*Proposed amendment:*

*In the case of Garden closure, we encourage fob-holders to make use of other areas available on the Estate.*

In the case of any Garden closure, fob-holders have access to the other areas available on the Estate such as Hare Court (which is being renovated in 2016), Goldsmith Square, Elm Court and Fountain Court. In addition, there is a mutual arrangement between Inner and Middle Temple, whereby Residents of the Inner Temple can use Middle Temple, if not used for a private hire, and vice versa.

The TRA considered it more accurate to describe the other areas available in the Estate as open spaces, rather than green spaces, and that they are not really appropriate for dog walking. However it is noted that areas such as Kings Bench Walk, Church Court, Pump Court, Brick Court and Middle and Inner Temple Lane have pedestrian walkways, where dogs can be walked on the lead.

### **Christmas Closure:**

**During the Inn's Christmas closure the Garden will be locked, however Residents will have access through the Easy Access Gate on Crown Office Row.**

*Proposed amendment:*

*During the Inn's Christmas closure the Garden will be locked; however, fob holders will have access through the Easy Access Gate on Crown Office Row [This amendment will not come into effect until self-closing mechanisms on the fobbed gates are installed. Until then, access during the Inn's Christmas closure will be restricted to Residents.]*

Over the last 10 years all but one of the Garden gates have been double locked during the Inn's Christmas closure. One gate, the Easy Access Gate, has a coded padlock, the code is given to Residents so they can access the Garden. This is to keep the Garden as secure as possible and ease the burden on the Porters (during this time no Porter is on duty, but one is on call). This is particularly pertinent on New Year's Eve, when Residents are asked to be vigilant and only allow members of their party through to the garden. Provided, however, that the automatic closing mechanisms have been fitted in time to ensure security, the Garden Committee considers that access can be granted to Garden fob-holders during the Christmas closure.

### **Dog walking in the Garden:**

**Only dogs belonging to Residents of Inner and Middle Temple are allowed into the garden. All dog foul must be disposed of in the special bins provided (located at Middle Temple Gate and 13 KBW). Dogs must be kept out of flower borders and long grass areas. During public opening dogs must be kept on a lead.**

*Proposed amendment:*

*Only dogs belonging to Residents of Inner and Middle Temple are allowed into the Garden. All dog foul must be disposed of in the dog bins provided. Damage to flower borders and long grass areas must be avoided. During public opening, dogs should be kept on a lead or otherwise under appropriate control.*

Non-residential dogs are not permitted into the Inner Temple estate, as stated on each of the perimeter gates, however; this in practice can only be enforced on Tudor Street gate, which is manned 7 days a week 24 hours a day. There is signage on 4 out of 5 gates stating that only residential dogs are allowed and that fouling is not permitted.

We have received three comments from Residents on this point:

- it is difficult to prevent dogs from not entering long grass areas
- dog bins should be placed near all fobbed gates
- questioning why dogs must be kept on leads during public opening hours.

There are two dog bins discreetly placed in the Garden, one next to Middle Temple Lane Pedestrian Gate and the second near 13 KBW Gate all adjacent to the circular walkway. When welcoming new dog walking Residents to the Garden, we point out those two bins. Placing the bins in more prominent places will increase the problem of other stakeholders using it to deposit their general litter, causing the shoot of the dog bins to block. From experience, our polite notice on the dog bins reminding that these bins are for dog waste only

have some effect. The Guideline has been amended to take account of the other points raised, to focus on the need to avoid damage to the Garden and nuisance to other users.

### **Alcohol:**

**Alcohol is not permitted in the Garden during public opening hours.**

*No amendment proposed.*

We received two comments on this point, questioning whether it should be permitted to discreetly consume alcohol during lunchtime. The Garden Committee considers that the ban should be maintained during public opening hours. There is no general ban outside public opening hours. Rather, any consumption of alcohol is expected to be such as to be consistent with the other guidelines on reasonable Garden use.

### **Barbecues**

**Barbeques are not permitted in the Garden at any time.**

*No amendment proposed.*

Although one resident asked for barbecues to be permitted, the Garden Committee remains of the view that his prohibition is justified.

### **Ball games etc:**

**Ball games and exercise classes are not permitted unless by prior written consent from the Head Gardener.**

*Proposed amendment:*

*Exercise classes require prior consent from the Head Gardener. Outside public opening hours, children may play ball games under adult supervision, provided they do so with due respect for the Garden and for other users. Users of games provided by the Garden (i.e. table tennis and, at certain times of year, chess and croquet) are asked to keep noise to a courteous level and respect all horticultural amenities. Ball games are not otherwise permitted.*

We received four comments from Professional Tenants relating to not permitting exercise classes and six comments on ball games. The Garden Committee agrees that a blanket ban on children's games would be disproportionate, particularly given that some children are resident. The Garden Committee also felt that the amenity of the Garden would be enhanced rather than otherwise by greater use of games provided by the Garden. For example, there seems no reason why use of the chess set should be restricted to events (provided it is kept off the grass) or an outdoor chess table could be located. It was considered that croquet on summer evenings would be a popular addition, provided that agreement can be reached on responsibility for setting it up and taking it down (perhaps a rota of volunteers).

In short, a less restrictive approach appeared justified, as long as the Head Gardener retains control over whether and when to authorise exercise classes and the Garden does not become a venue for adults playing five a side football. The revised Guidelines seek to capture this.

We should also note that some Consultees complained about noise from the table tennis tables. It is thought that this related to occasions when these were moved closer to 5 Paper Building, during events, and not replaced on the Broadwalk afterwards. The Garden team will liaise with the Catering Department to ensure that this does not recur. In general, the table tennis tables appear to have been a popular addition.

### **Annex – Some extracts from consultation responses on the value which Consultees attach to the Garden**

The gardens are for us undoubtedly a tremendous attraction of a tenancy within the Inn. The possibility of de-camping from chambers to the gardens for a short while may be relied upon to allay the gloom of working in chambers at the weekend. We are fortunate indeed to have such a facility.

I am absolutely passionate about the Inner Temple Gardens. I visit them on an almost daily basis, in all seasons, all weathers, all lights, including regularly at the weekends. They are a thing of the utmost beauty and they inspire me in so many ways. They are also a haven of tranquillity. I have taken many photographs of them, while other images, sounds, sensations and scents are etched in my mind... I follow the gardens on twitter and promote the wonderfully creative work that Andrea and her amazing team do, be it on social media or by word of mouth. I have complemented Andrea in person before now, and I take this opportunity to do so again. I take none of this for granted. On the contrary, it is quite simply a enormous privilege to work above one of London's green gems.

I walk through the Garden every morning en route to work and often take my lunch there or have a stroll in the afternoon. It is a great relief from stress and a key part of the pleasure of working in the Inn.

The garden is a source of pleasure, inspiration and calm which enriches our working lives.

I use it daily to/ from Middle Temple Lane on the way to the station; I regularly walk around the paths when the garden is quiet to clear my brain and admire the beauty of the plants. When working at weekends it is a consolation that I can go into the garden. To have access confined to the period when the garden is full of the public would remove a lot of the enjoyment and the peace that goes with private access.

I have been a member of the Inn since the early 80s and a practising barrister since 1985. During that time the gardens, out of public hours, have been, if not a lifeline, then something quite close to that. At times of stress it is a huge boon to be able to take what I term a "sanity walk" around the garden, to clear the head and to take one's mind off the matters at hand. When working at weekends I generally take a turn round the garden four or five times in a day; and during normal weekdays, I often go to the garden for 15 or 20 minutes, particularly in the mid-late afternoon, to restore sanity.

Its true charm can, perhaps, only be fully appreciated at the weekends and Festive holiday periods when the Inn is generally quieter and more tranquil. Therefore, we would also request careful consideration of limiting tenants' access to the garden during these periods.

Every morning, I look forward to walking through the gardens on my way in to Chambers. The tree-lined passage along embankment is one of my favourite places in London. It is truly one of the reasons I have stayed in my Chambers for so many years. I look carefully at the

constantly changing colours and the hard work that is put into the design and maintenance of the entire area. I always speak to all of the gardeners, should I see them. Just yesterday, I was working in Chambers and went to sit in the peace of the gardens for some respite.

I frequently walk the path around the garden outside public opening hours and I would very much wish to retain the ability to do so under the proposed new system... Over the last 5 years this has become of particular importance to me as I have back problems... which make it very uncomfortable to sit or stand at my desk for sustained periods of time without taking a break to move around.

This is an enormously responsible group of garden users, who as far as I am aware appreciate greatly the beauty that you and your team have created in the gardens in recent years.

Many barristers work long hours and at weekends: the possibility of being able to take a restorative stroll in the gardens when one has been chained to the desk over lunch or at the weekend makes the prospect more bearable. Younger barristers in particular are very likely to be living in small flats without gardens, and access to a garden at work is likely to be of far more value to them than to those at the end of their careers with comfortable houses and large gardens... We greatly appreciate the beauty of the gardens and the work put in by the gardeners and are surely amongst the most respectful and least damaging of the gardens' users.

The Chairman of the Bar, Master Alistair MacDonald, has said “we need to work hard to find effective ways of alleviating the destructive effects of stress and worry”. I would ask the Inn to reflect upon the use of the garden as an effective way to alleviating the destructive effects of stress and worry, given consistent studies on the positive links between health (including mental health) and access to green space...most barristers do not work conventional hours... When working in the evening or at weekends, the garden provides a welcome escape from the pressures of professional life. They are not in my view overused – whether using them to get to Temple Tube or for a brief walk, in my experience they are only ever being used by a handful of people at time, but those handful of people value the space and need it.

The use of the gardens, both at weekday lunchtimes and at other times of the day and week is a very important benefit to barristers who work in the Temple (and a great consolation when we find ourselves working long hours at weekends). It is one of the features that makes working in the Temple, happily, very different to working in an office elsewhere in Central London.

Working life at the Bar is busy and highly stressful. The 'Wellbeing at the Bar' report in April 2015 indicated that a significant proportion of barristers experienced high levels of pressure at work. The survey also noted that 28% of respondents to the survey stated that they experienced unpleasant physical symptoms the stressed and 24% stated that they felt nervous, anxious or on edge, most or all of the time. Managing work related stress and its effects on mood and cognitive function is a vital issue. A way to do so is to take time for oneself, as recommended by Mind and the NHS. Being able to access Inner Temple Gardens is a way to enable barristers to achieve this, and so protect and promote their well being. From my own personal experience, I know how valuable it can be to be able to take a break by walking around and otherwise accessing the Gardens. Simply being able to sit in the gardens or to get away from one's desk for a while can have a significant positive effect on one's mood, and effectively amounts to a coping strategy of the type which many mental health professionals recommend.

The gardens, so beautifully and skilfully planted and maintained as they are, are a wonderful asset of the Inn and it would be extremely unfortunate to find that a (fully justified) privilege by way of enhanced access rights was being withdrawn.

The garden is a source of inspiration, calm and solace.

I have always cherished the opportunity to walk in these beautiful surroundings at any time, particularly, outside of public opening hours, when quieter. I have heard it said that beautiful places lead to beautiful thoughts: the Gardens have often provided me with access to the tranquility I have needed to contemplate challenging cases. Thank you.

...many barristers consider the gardens to be of great importance for their 'well-being at the Bar'. In times of stress, and hardwork over long hours (often in the early morning, or later afternoon/evening and at the weekend), great comfort can be taken from a walk around the garden, or just being able to sit down and relax amidst their beauty. I frequently tell my friends that one of the great pleasures of working in Temple is that it feels like walking into an oasis of calm when entering the gardens, even though work and events outside might be going completely ballistic...

The gardens are a place of respite for the professional tenants of the Inn. They improve well being and provide an uplifting space in which to think, relax and take some exercise.

I see the garden as a central part of the communal life of the Inn and the Bar more generally.

It is both a very great pleasure and privilege to be able to walk around this lovely garden (which the Inn tends with such care) at will. I am sure I am not alone in considering it to be an important, tangible contribution to well-being.

The importance of having a green space in which to relax cannot be overstated, particularly for those of us who live in London and have no private garden of our own. It is particularly important to have this respite when having to work antisocial hours, for example when working early in the morning, late in the evening, or on weekends.

[Note: This is a small selection from many comments to similar effect.]