



**Welsh Harp Joint Consultative
Committee**
18 March 2020

**Report from the Strategic Director
of Regeneration & Environment**

WELSH HARP MANAGEMENT PLAN

Wards Affected:	All
Key or Non-Key Decision:	Non-Key
Open or Part/Fully Exempt: (If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)	Open
No. of Appendices:	1
Background Papers:	▪
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1.0 Purpose of the Report

- 1.1 This report presents progress on the Brent Reservoir / Welsh Harp Management Plan since the last meeting of the Committee and during the 2019/20 year to date. The Management Plan is jointly managed by the three main land-holding organisations: Brent Council, the London Borough of Barnet, and the Canal & River Trust.

2.0 Recommendation(s)

- 2.1 Members are asked to note the Report.

3.0 Detail

- 3.1 The current version of the Welsh Harp / Brent Reservoir Management Plan, (dated 15 March 2016) is available on the Brent Council website at <https://www.brent.gov.uk/services-for-residents/sport-leisure-and-parks/parks/park-finder/welsh-harp-reservoir/>
- 3.2 The Welsh Harp / Brent Reservoir Management Plan includes an Action Plan that lists current year progress and actions that may require a longer time-frame and/or for the resources to be identified to undertake the action. For this committee the Action Plan is updated as Appendix A. The 'Progress' column summarises current progress. In particular note the following:

- 3.3 Marshland work: Volunteers of the Welsh Harp Sailing Association held projects during January and February 2020 to reduce the regrowth of trees in the marshland edge alongside the Welsh Harp Open Space. The planning of this work has involved also the Canal & River Trust as much of the marshland is on their land at the margin of the reservoir, and Brent Council. Three reasons for the work are:
- The marshland and the marshland flora are valuable for wildlife. As the marshland is only a few metres wide, the marshland habitat is important at this location. The growth of the trees shades the ground flora. The aim is to reduce the cover of the trees in the marshland while retaining some of the marshland trees.
 - The growth of the trees can reduce the view of the reservoir and the views across the reservoir.
 - Trees on the edge of the reservoir create a wind shadow that can stretch into the reservoir and which reduces the wind for water sports.
- 3.4 Note that as part of this work:
- The view towards the reservoir has been re-opened from the interpretative panels.
 - Scrub encroaching on the lower, grassland path, between the marshland and the slope of the Open Space has been reduced to improve conditions for walking.
 - Two, small ponds have been re-opened along the shore.
 - Litter has been collected from the marshland.
 - As in early 2019, windrows of cut material have been left to provide habitat.
- 3.5 The affect of this work on the marshland will be reviewed during the summer.
- 3.6 Public Spaces Protection Order. Parks. Following the report to Brent Council's Cabinet of 9th September 2019, officers are considering the implementation of the Public Spaces Protection Order in parks.
<http://democracy.brent.gov.uk/ieListDocuments.aspx?CId=455&MId=5357&Ver=4>
- 3.7 Meadow areas: The meadow areas, amongst the amenity grassland of Neasden Recreation Ground, cut for the year in the autumn of 2019, will continue to be reviewed into 2020.
- 3.8 Healthy Walks programme:
See:
<https://www.brent.gov.uk/services-for-residents/culture-leisure-and-parks/sports-and-wellbeing/sport-activity-finder/healthy-walks-in-brent-welsh-harp-nature-walk/>
- 3.9 Welsh Harp / Birchen Grove Car Park. Small ramps to deter off-road car racing, which had become a problem at this car park, were installed in January 2020.
- 3.10 Silver Jubilee Park Car Park: The car park at Silver Jubilee Park and adjacent to the West Hendon Playing Fields was resurfaced and line-marked in January 2020.

4.0 Financial Implications

- 4.1 The Brent Reservoir / Welsh Harp Management Plan provides recommendations for works to be undertaken. Works are only undertaken when approved by the service responsible for delivering the works within existing approved budgets.
- 4.2 The Action Plan 2019/20 (Appendix A) actions are achievable over varying time-frames, though many are not affordable within existing budgets in the short term. More details of works are included in Appendix A.”

5.0 Legal Implications

- 5.1 Brent Reservoir / Welsh Harp is a designated ‘Site of Special Scientific Interest (‘SSSI’). Section 28E of the Wildlife and Countryside Act 1981 as amended by the Countryside and Rights of Way Act 2000 (‘CROW’) and the Natural Environment and Rural Communities Act 2006 (NERC) sets out the duties in relation to SSSIs. Land owners or occupiers, and also public bodies, are required to give notice to and consult with Natural England where they wish to carry out, or cause or permit to be carried out any operation in an area of land that is of special interest by reason of any of its flora, fauna, or geological or physiographical features (this requirement applies to operations within a SSSI, and to operations outside the SSSI that may affect the features of interest). Natural England will issue consent, which may have conditions or refuse consent. It is a criminal offence to carry out a listed operation without Natural England’s consent or to ignore any conditions of a consent which may result in an unlimited fine and a restoration order. CROW (and section 28G of the Wildlife and Countryside Act 1981) places a duty on all public bodies to take reasonable steps, consistent with the proper exercise of the authority’s functions, to further the conservation and enhancement of a SSSI. When advice is obtained from Natural England prior to carrying out the works, an explanation of how the Council has taken into account any advice Natural England has given should be provided –

The Council must be able to show that it considered alternatives that could reduce the impact on the SSSI and the methods being used are those that cause as little damage as practicable to the land:-

The Council should demonstrate how it has assessed differing interests (including the special interests of the SSSI) before deciding to go ahead with the works.

- 5.2 It is good practice for land owners or occupiers to produce Management Plans for the SSSI, which when approved by Natural England, enable the carrying out of the works specified in the Management Plan. This can reduce the administrative work inherent in obtaining consent for individual items of management work.
- 5.3 The Natural Environment and Rural Communities Act 2006 requires that all public authorities in England and Wales, when exercising their statutory functions, must have regard to the conservation of biodiversity, so far as is consistent with the proper exercise of their functions.

- 5.4 Section 28Q of the Wildlife and Countryside Act 1981 requires the owner of land included in a SSSI to inform Natural England within 28 days of any changes in ownership or occupation of the site, including leases, easements and rights.

6.0 Equality Implications

- 6.1 Decision makers must have due regard to the public sector equality duty in making their decisions. The public sector equality duty is set out at section 149 of the Equality Act 2010 and is as follows:

A public authority must, in the exercise of its functions, have due regard to the need to:

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

In terms of advancing equality of opportunity, this means to:

- (i) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
- (ii) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;
- (iii) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

In terms of

- (a) Tackling prejudice, and
- (b) Promoting understanding,

The relevant protected characteristics are:

- ☐ Age
- ☐ Disability
- ☐ Gender reassignment
- ☐ Pregnancy and maternity
- ☐ Race,
- ☐ Religion or belief
- ☐ Sex
- ☐ Sexual orientation
- ☐ Marriage and Civil partnership

- 6.2 At this stage, no potential adverse impact arising from the recommendations in this report has been identified. However, the equalities implications identified in the Equality Analysis will continue to be considered and assessed as further data / information is obtained or becomes available during the implementation process.

7.0 Consultation with Ward Members and Stakeholders

- 7.1 None specific.

8.0 Human Resources/Property Implications (if appropriate)

- 8.1 None specific.

AMAR DAVE

Strategic Director of Regeneration &
Environment