
AGENDA ITEM: 8 Pages 5 – 13

Meeting	Welsh Harp Joint Consultative Committee
Date	10 November 2008
Subject	Welsh Harp Management Plan
Report of	Cabinet Member for Environment and Transport
Summary	To report the position on the Local Nature Reserve (LNR) and on-going site management.

Officer Contributors	Jenny Warren, Green Space Services Manager
Status (public or exempt)	Public
Wards affected	West Hendon
Enclosures	Appendix A – Invasive Species Control Appendix B – Risk Assessment – Unauthorised use of the water
For decision by	Welsh Harp Joint Consultative Committee
Function of	Executive
Reason for urgency / exemption from call-in (if appropriate)	N/A

Contact for further information: Jenny Warren, Green Spaces Services Manager, 020 8359 7803.

1. RECOMMENDATIONS

1.1 That the contents of the report be noted.

2. RELEVANT PREVIOUS DECISIONS

- 2.1 Welsh Harp Joint Consultative Committee on 9 December 2003 – approved the proposed boundary of the Local Nature Reserve.
- 2.2 Hendon Area Environment Sub-Committee on 15 March 2005 agreed the designation of a Local Nature Reserve on the Welsh Harp.
- 2.3 Welsh Harp Joint Consultative Committee of 15 June 2005 agreed draft byelaws.
- 2.4 Hendon Area Environment Sub-Committee on 5 September 2006 and Cabinet on 16 October 2006 endorsed the draft byelaws for formal approval by full Council on 7 November 2006.
- 2.5 Council formally endorsed the draft byelaws on 7 November 2007.
- 2.6 Hendon Area Environment Sub Committee on 19 June 2008 – Decision 6. That the progress of the Council's Welsh Harp Risk Assessment be examined and reported back to the next meeting. That British Waterways be invited to report back to the Sub Committee on the progress of their Welsh Harp Risk Assessment at the next meeting.
- 2.7 Welsh Harp Joint Consultative Committee on 02 July 2008 – Item 8, Actions 1 to 7.
1. To arrange the appropriate repair or replacement action to the hide following consultation with the Heritage Lottery Fund and Barnet's Cabinet Member for Environment and Transport.
 2. Provide details about the three year weed control programme.
 3. Request the weed control contractors contact Brent Council to assist with any requirements.
 4. Investigate whether weekend emergency calls were being forwarded to Greenspaces.
 5. Request that the Risk Assessment include whether Barnet Council was doing enough to stop swimming by placing signs and whether further enforcement officers were required.
 6. To write to British Waterways to request action against people swimming in the Welsh Harp.
 7. To raise an order to change the emergency number on the visitor information centre.
- 2.8 Hendon Area Environment Sub Committee on 23 September 2008. Decisions:
1. That the Draft Risk Assessment for the Welsh Harp be noted.
 2. That the Council writes to British Waterways advising them to introduce a risk assessment for the Welsh Harp.
 3. That the Risk Assessment be submitted to the Audit Committee to consider the level of assessment.

3. CORPORATE PRIORITIES AND POLICY CONSIDERATIONS

- 3.1 The ongoing management of the Welsh Harp contributes towards a Clean, Green and Safe borough, as described in Barnet's Corporate Plan 2008/09 – 2011/12.

4. RISK MANAGEMENT ISSUES

- 4.1 Barnet Council has undertaken a risk assessment in relation to visitor safety and the Welsh Harp reservoir contained in Appendix 1.

5. EQUALITIES AND DIVERSITY ISSUES

- 5.1 Parks and Open Spaces benefit all sectors of the community by improving the local environment. Maintenance is carried out according to the management plan and takes into account requests from residents, users and Members. Improvements are made, wherever possible, to ensure equal access for all users.

6. USE OF RESOURCES IMPLICATIONS (Finance, Procurement, Performance & Value for Money, Staffing, IT, Property, Sustainability)

- 6.1 Repair and or replacement bird hide to be funded by section 106 contributions up to approx. £6,000.
- 6.2 Three year programme for the treatment of Japanese knotweed commencing in 2008 at £1,300 per annum.

7. LEGAL ISSUES

- 7.1 The Local Authority has a statutory duty under the Countryside and Rights of Way Act 2000 to safeguard, protect and enhance sites of special scientific interest. The Local Authority has the power under Section 21 of the National Parks and Access to the Countryside Act 1949 to acquire, declare and manage nature reserves. However, English Nature must be consulted by the Authority in the use of the powers given by section 21. The 1949 Act states that a Local Nature Reserve (LNR) must be managed in such a way to ensure that use of the site does not result in any damage to its natural features.

8. CONSTITUTIONAL POWERS

- 8.1 The Terms of Reference of the Joint Committee, as set out in its Constitution, include:
"to consider and co-ordinate all the interests of recreation / leisure / maintenance / nature conservation and statutory requirements of the British Waterways Board and the Environment Agency at the Welsh Harp; with the object of protecting the Welsh Harp and surrounding open land as a unique environment for both recreation and wildlife conservation."

9. BACKGROUND INFORMATION

- 9.1. Current ongoing management issues.
- 9.1.1 Replacement of the bird hide
Following recommendations that on 20 July that;
1. the current hide was re-built if possible into the same structure as option D (detailed below), or
 2. the hide was replaced with the structure identified in option D,

both options were investigated. The remains of the current hide is not structurally sound or suitable for modification into a similar structure as option D, and would require a greater investment to provide a facility that will not be any more resistant to vandalism than the current structure.

The Cabinet Member for Environment and Transport has approved the expenditure for a replacement hide as per Option D. Permission has now been sought from the Heritage Lottery Fund to proceed with the replacement.

Option D. Remove hide and replace with sleeper structure to 2 m height with canopy roof – Approx. £6000.

Replace hide with walled structure to provide shield from birds, constructed from sleepers and ironwork with openings for viewing. Install canopy roof to provide dry cover, which will be open for all to use, this may continue to encourage the youths to gather at the hide but there will no longer be a need to gain access coupled with a new robust design this will be more resistant to vandalism.

9.1.2 Japanese Knotweed Control Programme

A three year programme to treat the Japanese knotweed, Himalayan Balsam and Giant Hogweed commenced in 2008 following a site survey. Complete Weed Control have been appointed to treat the site, dividing the site into three treatment areas plus returning to the previous years work and re-treating as required. A map detailing the areas treated in 2008 is contained in Appendix B.

The Contractor has been provided with the contract details for Brent Council Parks Service.

9.1.3 Bye Law Enforcement and Litter Patrols

The weekend emergency call out rota for Greenspaces has been confirmed as working with calls being received. Weekend litter patrols continued throughout the summer.

9.1.4 Risk Assessment – Unauthorised use of the water

British Waterways agreed to a meeting in September between the key stakeholders; British Waterways, Brent Council, Barnet Council and the Welsh Harp Sailing Association to identify a co-ordinated approach in preventing unauthorised activities on and in the water at the Welsh Harp, this is yet to take place. British Waterways have confirmed that they do not have a risk assessment relating to visitor safety at the site and do not require one as the site is leased to the Welsh Harp Sailing Association.

The byelaws relating to the Welsh Harp regarding entry into or use of the water for water sports, fishing, swimming etc are not enforceable via fixed penalty notices. A prosecution would be required through a Magistrates Court by taking a legal case against the offender.

'Owners of inland water sites have a responsibility to ensure, *so far as is reasonably practicable*, the safety of both their employees and visitors to their sites' (National Water Safety Forum, www.nationalwatersafety.org.uk/inlandwatersafety/advice/operator.htm).

It is not always possible or desirable to fence off inland water sites or provide supervisory staff at these locations. To relieve the Council of liability it is noted in the RoSPA Operational Guidelines, that appropriate signage to warn of the dangers to visitors should be in place.

Signage is in place throughout the Welsh Harp instructing visitors not to enter the water for swimming and / or boating purposes. Operational litter collection staff also request park users not to enter the water.

A risk assessment for the site has been undertaken and is attached in Appendix B. The risk assessment identifies that a review of accessibility to the water throughout the site should be undertaken to ensure that all practical measures to minimise any risks are in place.

9.1.5 Infrastructure and signage

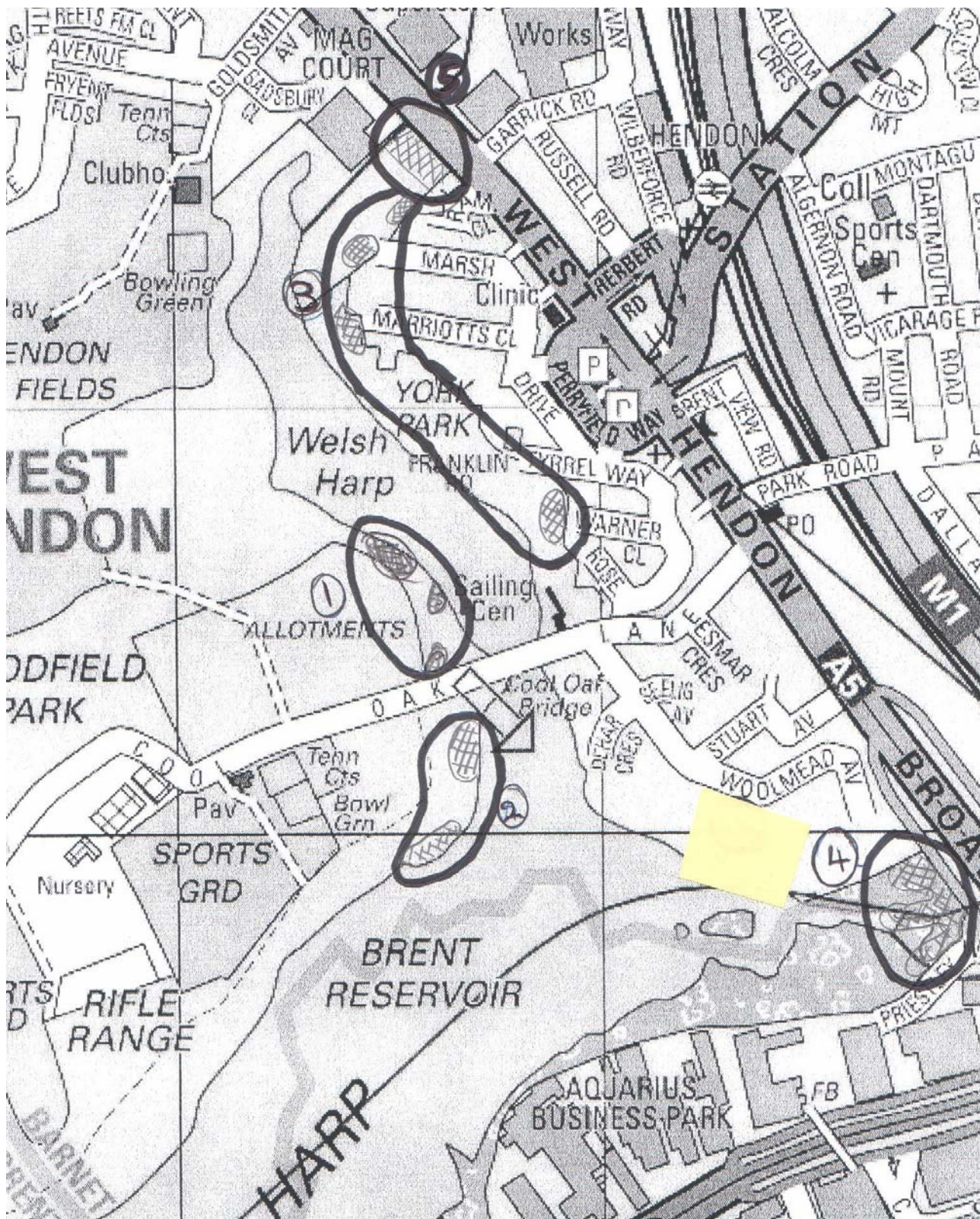
The emergency contact details have been updated with the correct information. The visitor information signs located at the information centre in Woodfield Park are being updated, the Welsh Harp Conservation Group are currently reviewing the Conservation information. An additional litterbin has been installed between the entrance to Woodfield Park and the current litterbin located at the slip way.

10. LIST OF BACKGROUND PAPERS

- 10.1 The Welsh Harp Management Plan can be found on Brent Council's website: www.brent.gov.uk/parks in the biodiversity section.

Legal – PD
CFO – MG

Appendix A – Invasive Species Control



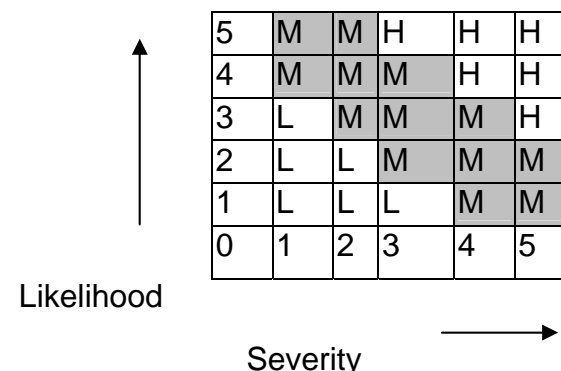
Appendix B – Risk Assessment – Unauthorised use of the water

Key to risk rating

Likelihood	
1. Improbable	So unlikely that probability is close to zero
2. Remote	Unlikely, though conceivable
3. Possible	Could occur some time
4. Probable	Not surprised. Will occur several times..
5. Likely/frequent	Occurs repeatedly/event only to be expected.
Severity	
1. Minor injury: 2. Moderate injuries: 3. Major injuries: 4. Death 5. Multiple deaths	Cuts, bruises etc unlikely to result in sick leave Likely to result in 1-3 days sick leave More than 3 days sick leave – notifiable to HSE
Action	
H – High: M – Medium: L – Low:	Action immediately Action within 12 months Action when reasonably practicable

Please complete all parts of the form, and continue on a separate sheet if necessary. The areas in yellow are for advice, and will help in the risk assessment process. If you have questions about this form or how to do a risk assessment, contact the Health and Safety Unit on 020 8359 7960.

RISK RATING



Activity / Location Welsh Harp	
Date of this assessment August 2008	Date of last assessment N/A

What are the hazards?	Who might be harmed and how?	Risk priority (High/Medium/Low)	What are we already doing to control the risk?	What further action is necessary?	Action		
					By whom?	By when?	Date completed
1) Risk of drowning	Members of the public who enter the water.	Medium	<ul style="list-style-type: none"> Swimming is not permitted. Signage present throughout the site and water's edge advising that no swimming is permitted. 	<ul style="list-style-type: none"> Signage to be checked at regular intervals. 12 monthly review of any incidences. Review restriction/access to water to prevent entry. 	GS Officer	Quarterly	
					GS Officer	Annually	
					GS Officer/Manager	31.10.2008	
2) Trip, fall, slip, underwater obstruction causing injury on entry into/out of water	Members of the public who enter the water.	Medium	<ul style="list-style-type: none"> Swimming is not permitted. Signage present throughout the site and water's edge advising that no swimming is permitted. 	<ul style="list-style-type: none"> Signage to be checked at regular intervals. 12 monthly review of any incidences. Review restriction/access to water to prevent entry. 	GS Officer	Quarterly	
					GS Officer	Annually	
					GS Officer/Manager	31.10.2008	

3) Contraction of general infections and diseases i.e. Weil's disease.	Members of the public who enter the water.	Medium	<ul style="list-style-type: none"> Swimming is not permitted. Signage present throughout the site and water's edge advising that no swimming is permitted. 	<ul style="list-style-type: none"> Signage to be checked at regular intervals. 12 monthly review of any incidences. Review restriction/access to water to prevent entry. 	GS Officer GS Officer GS Officer/ Manager	Quarterly Annually 31.10.2008	
4) Injury to persons from unauthorised water sports	<ul style="list-style-type: none"> Members of the public who enter the water. Members of the public operating authorised and un-authorised boats. 	Medium	<ul style="list-style-type: none"> Swimming is not permitted. Signage present throughout the site and water's edge advising that no swimming is permitted. No sailing/watersports signage is present. 	<ul style="list-style-type: none"> Signage to be checked at regular intervals. 12 monthly review of any incidences. Review restriction/access to site for boats etc 	GS Officer GS Officer GS Officer/ Manager	Quarterly Annually 31.10.2008	

Assessment carried out by (name and designation) Jenny Warren Greenspaces Service Manager	Review date: 25/08/2008
	Reviews are needed to make sure the risk assessment is up-to-date, if there is a change in law or good practice, or if there is reason to believe that it is no longer valid.