

<b>AGENDA ITEM:</b>	Page nos.
Meeting	Welsh Harp Joint Consultative Committee
Date	18 June 2012
<b>Subject</b>	<b>Welsh Harp Management Plan</b>
Report of	Interim Director Environment, Planning & Regeneration
Summary	To report the position on the Local Nature Reserve (LNR) and on-going site management.
Officer Contributors	Jenny Warren, Greenspaces Services Manager
Status (public or exempt)	Public
Wards Affected	West Hendon
Key Decision	Appendix One – <b>Community events at the Welsh Harp</b> Appendix Two – <b>Planning Permission Appeal – Land at Woodfield Nursery, Cool Oak Lane, NW9 –</b>
Reason for urgency / exemption from call-in	Welsh Harp Joint Consultative Committee
Function of	Executive
Enclosures	N/A
Contact for Further Information:	Jenny Warren, Greenspaces 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 23 March 2011 – 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.

## **3. CORPORATE PRIORITIES AND POLICY CONSIDERATIONS**

- 3.1 The Councils Corporate Plan 2011 - 2013 identifies as one of its Corporate Priorities the need to ensure Barnet's continued success as a prosperous place where people want to live and at the same time preserve and enhance our Greenspaces as identified as part of a successful London suburb".

## **4. RISK MANAGEMENT ISSUES**

- 4.1 There are no risk management issues associated with this report.

## **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 Any costs incurred from the programmes and initiatives will be met within existing Environment and Operations budgets.

## **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 (Relevant section from the Constitution, Key/Non-Key Decision)**

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 Nothing to report

### **9.2 Community events at the Welsh Harp**

9.2.1 A charity called Thames21 – bringing London’s waterways to life, are planning two practical events with volunteers at the Welsh Harp on Wed 20th and Sat 23<sup>rd</sup> June. They will be tackling an invasive plant called Himalayan Balsam which can be harmful to waterway environment. The plants leave watercourses vulnerable to erosion when river levels rise in winter, increasing incidences of flooding.

### **9.3 Planning Permission Appeal - Land at Woodfield Nursery, Cool Oak Lane, NW9 Decision: Notice upheld and varied**

9.3.1 The appeal was made under section 174 of the Town and Country Planning Act 1990 [hereinafter “the Act”] as amended by the Planning and Compensation Act 1991.

9.3.2 The appeal was made by Mr Stanley Houghton against an enforcement notice issued by the London Borough of Barnet.

9.3.3 The notice was issued on 27 July 2011. The breach of planning control as alleged in the notice is:

- i. Without planning permission, unauthorised change of use of the land to the mixing/processing of soil including the industrial grading of reclaimed building material and soil with storage and deliveries of the same;
- ii. It appears to the Council that the above breach of planning control has occurred within the last four years.

9.3.4 The requirements of the notice are:

Cease the use of the land for the purposes of mixing/processing of soil including the industrial grading of reclaimed building material and soil with storage and deliveries of the same.

Restore the land back to the state in which it was prior to the breach of planning control by removing all hardcore and rubble from the site and reducing the piles of soil, compost and sand to heights not exceeding natural ground level.

#### 9.3.5 Conclusion

For the various reasons given it was concluded that the appeal should be dismissed and the refusal to grant planning permission on the application deemed to have been made under section 177(5) of the Act.

### 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](http://www.brent.gov.uk/parks) in the biodiversity section.

<b>Cleared by Finance (Officer's initials)</b>	
<b>Cleared by Legal (Officer's initials)</b>	