



Welsh Harp Joint Consultative Committee
19 November 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: <small>(If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)</small> | Open |
| No. of Appendices: | 1 |
| Background Papers: | ▪ |
| Contact Officer(s): <small>(Name, Title, Contact Details)</small> | Leslie Williams, Project Officer, Environmental Services, Brent Civic Centre. Email: Leslie.Williams@Brent.gov.uk Tel: 020 8937 5628 |

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 2020/21 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/culture-leisure-and-parks/parks-and-allotments/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. Additional notes are provided in the following paragraphs:

- 3.3 Marshland work: Following the work in the winters of 2018/19 and 2019/20, the Canal & River Trust and volunteers of the Welsh Harp Sailing Association have organised a continuation of the marshland work. The earlier work has been successful in encouraging the herbaceous marshland flora and in re-opening views to the reservoir, while retaining spaced trees and groups of trees on the shoreline. Preparation and application for consents was organised during the summer of 2020. Work on site commenced in early September 2020. Work has been conducted taking account of current Covid regulations at the time of the work; and has included a break of a few weeks to re-access the situation. Projects to date have been on the northern shore, towards and around the pond near to the boundaries of the two Boroughs. It is planned for works to continue until the end of February 2021, given the bird breeding season from 1st March to end of August.
- 3.4 Three reasons for the work are:
- Habitat and wildlife: 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 a selection of the marshland trees.
 - Water wind-sports: Trees on the edge of the reservoir create a wind shadow that can extend over the reservoir and which reduces the wind for water sports.
 - Landscape and amenity: The growth of the trees can reduce the view of the reservoir and the views across the reservoir.
- 3.5 Consent from Natural England identifies the boundaries within which the work can proceed and lists conditions. Locally, notes from the previous work has been summarised into a guidance note which aims to act as a style-guide to the work. In particular to identify which types of trees are priorities for retaining near to the water and the types of trees that are a priority for coppicing.
- 3.6 The coppicing does often reveal accumulated litter including washed-up material in the marshland, while at the same time provides temporary access opportunities for clearing the litter before the marshland flora regrows.
- 3.7 Public Spaces Protection Order. Parks. Following the report to Brent Council's Cabinet of 9th September 2019, implementation of the Public Space Protection Orders is proceeding in parks.
<http://democracy.brent.gov.uk/ieListDocuments.aspx?CId=455&MId=5357&Ver=4>
- 3.8 Meadow areas: The meadow areas, amongst the amenity grassland of Neasden Recreation Ground, are due for an annual cut in the early autumn of 2020.
- 3.9 Healthy Walks programme:

The walking programme recommenced in August 2020 with walkers following social distancing guidelines. Details may change depending upon the Covid regulations and guidance current at the time of the walk: 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/>

3.10 Cycling in Neasden Recreation Ground: On 25th November 2019 a decision was made at full Council to revoke a byelaw and to allow cycling in some of Brent's parks and open spaces. Cycling is considered to provide benefits for health and for sustainable transport. The intention is to promote safe and responsible cycling. Detailed surveys and observations of all parks and open spaces covered by the byelaw have been completed to identify any potential areas of conflict between cyclists and other park users, these areas included:

- Entrances
- play areas
- outdoor gyms
- cafes and picnic areas
- paths that may be too narrow to allow safe sharing of the space, or
- places with a steep topography that may affect cycling speeds as hills can encourage faster and slower paces.

3.11 Where potential conflicts and risks have been identified, mitigation measures are recommended which include; '5mph' signs and surface markings to reduce speed and encourage safe cycling and 'no cycling' signs in areas where the paths are too narrow or close to park facilities. Appendix B includes details of the signs identified for parks in Brent including for Neasden Recreation Ground.

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 2020/21 (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 landowners 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.

ALAN LUNT

Strategic Director of Regeneration & Environment