



**Welsh Harp Joint Consultative
Committee**
4 March 2021

**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:	▪
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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 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 indicates current progress. For Brent Council, additional notes are provided in the following paragraphs:

- 3.3 Welsh Harp 'vision': This item will be covered in a joint report, elsewhere on the Agenda to the Committee. In brief, officers of the three main public authority landowners and other organisations are continuing to progress discussions for a vision for the Welsh Harp area. The Council are also aware of the recent public concern about litter and waste in the reservoir, amongst other issues. The discussions involve also Barnet Council, the Canal and River Trust; the London Wildlife Trust, Greater London Authority and Thames 21.
- 3.4 Marshland work: Marshland conservation work continued during November and December 2020 on the northern shore of the main arm of the reservoir. All works were arranged to conform with Covid-19 regulations. The work has been led and undertaken by volunteers of the Welsh Harp Sailing Association. The large majority of work is in the margins of the reservoir, on Canal and River Trust land, with some of the works within Brent Council's, Welsh Harp Open Space. The Canal and River Trust, and the Welsh Harp Sailing Association have obtained consent from Natural England for a programme of works over five years.
- 3.5 The work involves the reduction of shade from scrub and from coppiced (previously cut and regrown) trees, to enable the marshland flora to regenerate. A range of trees are retained, particularly less common species locally, for example most of the Alder, Silver Birch, Apples, clumps of Osier, regenerating Elms and large Willows. The work is in the marshland and on paths alongside the marshland, which often coincide with a belt of acid grassland. The works aim to improve:
 - Habitat and wildlife: The marshland and the marshland flora are valuable for wildlife. The marshland is typically 5-20 metres wide.
 - 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.
- 3.6 The work during the autumn and early winter of 2020/21 extended to the boundary with Barnet (the trees of the boundary have all been retained).
- 3.7 Work commenced on the southern shore, at Neasden Recreation Ground, in mid-December 2020, but was then postponed due to assessments in line with changing Covid-19 Tier and lockdown precautions. Note that the tree works are not undertaken during the bird breeding season, from 1st March to the end of August. The opportunity has been taken to discuss the detail with The Welsh Harp Group of volunteers who are active at Neasden Recreation Ground. The southern shore is possibly more intricate than the northern shore in terms of tree species and features. In particular, the method of working to re-open views and the stacking of the cut material will be considered.
- 3.8 Litter. Brent Council have been involved in discussions following the recent public concern about litter and waste in the Reservoir. The marshland work has enabled easier access to some of the shore for litter removal; while

reduced seasonal foliage has enabled a check for litter in the adjacent open spaces.

3.9 Healthy Walks programme:

The walking programme recommenced during the late summer and autumn of 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: Safer cycling signage to facilitate cycling in some areas of Neasden Recreation Ground and for information for other park users has now been installed.

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. Officers of the main land-holding organisations at the Welsh Harp and some other organisations are currently (early 2021) working on a 'vision' exercise which will include a review of possible sources of funding and income.

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