

LAKE ADMINISTRATION COMMITTEE

Minutes of the proceedings at a meeting of the Lake Administration Committee held in the District Council Chamber, South Lakeland House, Kendal, on Friday, 24 January 2020, at 10.00 a.m.

Present

Councillors

Doug Rathbone (Chairman)

Robin Ashcroft
Roger Bingham
Gill Gardner
Eamonn Hennessy
John Holmes

Kevin Holmes
Andrew Jarvis
Dyan Jones
Malcolm Lamb
Eric Morrell

Brian Rendell
Ian Wharton
Mark Wilson

Representing Windermere Town Council

Jennifer Borer

Adrian Legge

Apologies for absence were received from District Councillors James Airey and Vicky Hughes (Vice-Chairman), Lakes Parish Councillors Brian Hewitt, Leslie Johnson and Philip Thompson and Windermere Town Councillors Christine Hallatsch and Leith Hallatsch.

Officers

Inge Booth	Legal, Governance and Democracy Specialist
Linda Fisher	Legal, Governance and Democracy Lead Specialist (Monitoring Officer)
Frankie Flannigan	Service Delivery Manager
Rachel Ireland	Case Management Officer
Julia Krier	Legal, Governance and Democracy Specialist
Claire Read	Finance Specialist
Simon Rowley	Director of Customer and Commercial Services
Sion Thomas	Operational Lead Delivery and Commercial Services
Danielle Walls	Legal, Governance and Democracy Specialist

LA/27 MINUTES

RESOLVED – That the Chairman be authorised to sign, as a correct record, the minutes of the meeting of the Committee held on 4 October 2019

LA/28 DECLARATIONS OF INTEREST

RESOLVED – That it be noted that Councillor Adrian Legge (Windermere Town Council) declared an interest in Minute No.LA/32 Public Participation.

LA/29 LOCAL GOVERNMENT ACT 1972 - EXCLUDED ITEMS

RESOLVED – That the items in Part II of the Agenda be dealt with following the exclusion of the press and public.

LA/30 2020/21 TO 2024/25 DRAFT BUDGET

The Finance Specialist presented the 2020/21 – 2021/25 Draft Budget which provided Members the opportunity to consider the funding available to deliver Lake services.

The Finance Specialist referred to Appendix 1 to the report (Revenue Budget Pressures) which excluded recharges for current and future years, explaining that this was due to the fundamental restructuring of the Council's staffing as part of the Customer Connect Programme. It was planned to calculate recharges in Autumn 2020 when the new operating model had been in place for six months. The Finance Specialist also drew Members' attention to an anomaly in Appendix 1 to the report and, in response to a request, undertook to amend and recirculate the document.

RESOLVED – That the latest draft estimates be noted prior to their submission to Council for approval as part of the overall Draft Revenue Budget 2020/21 to 2024/25.

LA/31 WINDERMERE LAKE WARDENS AND RANGERS ANNUAL REPORT 2018/19

The Service Delivery Manager provided an overview of Lake user activity stating that, although busy, 2019 had not been as successful as 2018. Specifically, he reported that there had been a 6% drop in moorings take up in comparison to 2018. This drop, he explained, was due to an uptake in fixed berths at private marinas. He further commented that slipway activity was weather dependent and pointed out that 2019's weather had been disappointing.

In addition, the Service Delivery Manager referred to the impact on boat storage due to the work being carried out at the caravan park. He further mentioned the water safety talks for schools explaining that, due to redeployment of staff last year, this scheme had not been delivered as expected. He confirmed, however, commitment to delivering this scheme during 2020.

The Service Delivery Manager informed Members that the Windermere Boat and Adventure Show had been a great success, as well as the Great North Swim event. He reported that the number of reported incidents was no greater than in previous years and commended his Team for the sensitive and courageous response to the one serious fatality. Lastly, he thanked Members for their support, guidance and continued fair scrutiny.

A number of Members focussed their questions on the statistics relating to adrift and ashore boats which were reported in Table 5.2a. The Service Delivery Manager explained that these incidents could be a result of bad weather, however, reiterated that it was the boat owner's responsibility to secure boats. Wardens did, though, implement temporary measures in such circumstances, and weather warnings were provided. In addition, he made clear to Members that these incidents very rarely cause damage to other boats.

The Service Delivery Manager provided clarification on the removal of rotting and neglected boats, explaining that owners could be asked to remove the boats or that they could be removed through means of legal action.

Additional questions were asked in relation to what measures were being put into place with regards to habitat conservation. The Service Delivery Manager referred to partnership working with the South Cumbria Rivers Trust and suggested that Members refer to the Windermere Lake Action Plan for further details.

In response to a question regarding environmental concerns over the type of fuel used in the patrol boats, the Service Delivery Manager, confirmed that the Lake District National Park Authority had replaced two petrol engines with LPG fuelled ones on their Lake Patrol Boats. In addition, he pointed out that the Council had recently replaced its engine with one of the cleanest available. He agreed that all Lake users should be encouraged to use cleaner engines and more efficient fuel, and undertook to look into this matter.

The Service Delivery Manager clarified that currently only third party insurance was required for Lake users, although expressed his preference for fully comprehensive insurance.

Attention having been drawn to incorrect figures displayed within table 3.3a (Breakdown of the mooring usage by fee type since October 2015), the Service Delivery Manager undertook to make the necessary amendments.

RESOLVED – That the contents of the report be noted.

LA/32 PUBLIC PARTICIPATION

Note – In the interest of openness and transparency, Councillor Adrian Legge (Windermere Town Council) declared a non-pecuniary interest in this item of business by virtue of the fact that the public speaker was due to address the Committee on the Lakes Flying Company Limited's Waterbird Project; Councillor Legge was a Director of the Company.

Mr Ian Gee, project leader of The Lakes Flying Company Limited's Waterbird Project, addressed the Committee. Mr Gee provided historic details of how Windermere had been the birthplace of British naval and civil marine aeroplanes. Waterbird had become the first hydro-aeroplane to successfully take off from and alight on water outside of France and the USA; the world's first successful flight to use a stepped float. Mr Gee went on to inform Members of the Project's intentions to apply to the Lake District National Park Authority for an exemption to exceed the speed limit on Lake Windermere in Autumn 2020, also advising of consultations which would take place. He provided Members with copies of a photo of the original plane and website details – www.waterbird.org.uk .

The Chairman thanked the speaker for his courtesy in notifying Members of the project.

LA/33 PROGRESS REPORT

The Operational Lead Delivery and Commercial Services introduced the progress report, advising Members that meetings of the Windermere Lake Action Steering Group and the Windermere Lake Action Delivery Group had been held late in 2019. Attached at Appendix 1 to the report were the notes of the Windermere Lake Action Plan Steering Group. He explained that the Part II Appendix to the report set out progress on actions of the Windermere Lake Action Plan.

Note – Members voted to move into Part II in order to discuss Appendix 2 to the report.

LA/34 PRESS AND PUBLIC

RESOLVED - That, under Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Part 1 of Schedule 12 A of the Act as amended by the Local Government (Access to Information) (Variation) Order 2006 by virtue of the paragraph indicated.

LA/35 PROGRESS REPORT

- *Paragraph 3 - Information relating to the financial or business affairs of any particular person (including the authority holding that information)*

The Operational Lead Delivery and Commercial Services provided a detailed update on the delivery of the Windermere Lake Action Plan, oversight of the delivery for which was undertaken by the Windermere Lake Action Plan Steering Group.

The importance of the work conducted by the Steering Group was raised, the meetings producing a lot of well-intended proposals, all of which would hopefully be actioned. It was suggested that some of the proposals could be considered by the Overview and Scrutiny Committee. The Legal, Governance and Democracy Specialist (Solicitor and Deputy Monitoring Officer) informed Members that suggestions for topics were currently being sought for the Overview and Scrutiny Committee's 2020/21 Work Programme. The Operational Lead Delivery and Commercial Services also assured Members that regular updates would be provided to the Lake Administration Committee.

Note – Members voted to move back into Part I.

LA/36 RE-ADMISSION OF PRESS AND PUBLIC

RESOLVED – That the press and public be re-admitted to the meeting.

LA/37 PROGRESS REPORT

Members thanked the Operational Lead Delivery and Commercial Services for the comprehensive and clear report.

RESOLVED – That the report be noted.

LA/38 PRESS AND PUBLIC

RESOLVED - That, under Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Part 1 of Schedule 12 A of the Act as amended by the Local Government (Access to Information) (Variation) Order 2006 by virtue of the paragraphs indicated.

LA/39 UPDATE ON COMMERCIAL LEASES AND ANNUAL ENCROACHMENTS

- *Paragraph 1 - Information relating to any individual.*
- *Paragraph 2 - Information which is likely to reveal the identity of an individual.*
- *Paragraph 3 - Information relating to the financial or business affairs of any particular person (including the authority holding that information)*
- *Paragraph 5 - Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.*

The Legal, Governance and Democracy Lead Specialist (Monitoring Officer) presented an update regarding work being carried out in relation to commercial leases and annual encroachments around the Lake.

She praised the positive and hard work of the Legal and Finance teams and all those involved for their efforts and advised Members of further work which was due to be carried out. The Legal, Governance and Democracy Lead Specialist (Monitoring Officer) informed Members of her intention to provide a less detailed report at future meetings.

Members expressed their thanks to the Legal team and those involved.

RESOLVED – That the report be noted.

LA/40 RE-ADMISSION OF PRESS AND PUBLIC

RESOLVED – That the press and public be re-admitted to the meeting.

The meeting ended at 10.55 a.m.