

**South Lakeland District Council
Lake Administration Committee**

13th April 2018

**Encroachment Application to replace the two
existing jetties and dredge an area of 190m² at
Tower Wood Outdoor Education Centre
Windermere**

PORTFOLIO:	Not Applicable
REPORT FROM:	David Sykes – Director People and Places
REPORT AUTHOR:	Frankie Flannigan – Lake and Parking Services Officer
WARDS:	Staveley- in- Cartmel
KEY DECISION:	Not Applicable

1.0 EXPECTED OUTCOME

1.1 That approval be given to an application for permission to replace the two existing wooden jetties and dredge an area of 190m² at the Tower Wood Outdoor education Centre

2.0 RECOMMENDATION

2.1 It is recommended that approval be given to the application subject to the applicant agreeing to a revised encroachment agreement.

3.0 BACKGROUND AND PROPOSALS

3.1 Situated on the east shore of Lake Windermere. Tower Wood offers a wide range of outdoor education courses and is owned by Lancashire County Council (**See appendix 5**).

3.2 The application provides details of the proposed replacement of the two existing decaying timber jetties with an EZ Dock system which uses floating modular dock sections linked by hinged gangways all anchored by circular steel piles (**See appendices 6 and 7**).

- 3.3 The application provides details of the construction of two new jetties. The north jetty measuring 28.850 m² with a width of 2m², Southern most jetty 22.370 m² with a width of 2m² both measurements are subject to survey following completion. This will increase the original encroachment by 8.9m² to an overall encroachment area of 90.2m² (**see appendix 6**).
- 3.4 The applicant has provides details of the dredging which will cover an area of approximately 190m² and to achieve a 1m nominal depth. At the moment larger craft cannot land at jetties due to the build-up of silt. The dredging material will be used to build a wash wall to improve the flow of water from burrow Beck (**see appendix 8**).
- 3.5 The applicant has provided confirmation of the approved planning permission by the Lake District National Park Authority and a copy is attached for reference. Environment Agency approval has also been received (**see appendices 1 and 2**).

3.6

4.0 CONSULTATION

- 4.1 Informal consultation has taken place with the Lake Wardens. The Lake and Parking Services Officer is also in possession of the relevant planning permissions and Environment Agency approvals.

5.0 ALTERNATIVE OPTIONS

- 5.1 The Committee could decide to refuse the application however this action is not recommended. The existing jetties are in very poor condition and are in dire need of replacement. The existing lake levels in this area if not dealt with could risk in reduction of water activities and possibly the end of these activities. The Lake and Parking Services Officer has visited the site with the Lake Wardens and they are both content with the location and proposed jetty length.

6.0 LINKS TO COUNCIL PRIORITIES

- 6.1 Not applicable.

7.0 IMPLICATIONS

7.1 Financial and Resources

- 7.1.1 An amendment to the existing encroachment commercial agreement will be required and as the proposed extension will increase the extent of the leased demise an increased rental will be achieved.

7.2 Human Resources

- 7.2.1 There are no staff implications.

7.3 Legal

- 7.3.1 Legal services will be required to complete the encroachment agreement following confirmation of agreed terms by LSH.

7.4 Health, Social, Economic and Environmental

7.4.1

Have you completed and Health, Social, Economic and Environmental Impact Assessment?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If yes, please confirm that it is attached to the report in the appendices.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
If you have not completed an Impact Assessment, please explain your reasons.	A sustainability impact assessment has not been carried out as this is an individual application which has already been granted planning permission and Environment agency consent.	

7.5 Equality and Diversity

7.5.1.

Have you completed an Equality Impact Analysis?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If yes, please confirm that it is attached to the report in the appendices.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
If you have not completed an Impact Assessment, please explain your reasons.	A sustainability impact assessment has not been carried out as this is an individual application which has already been granted planning permission and Environment agency consent. No equality or diversity implications arise out of this proposal.	

7.6 Risk

Risk	Consequence	Controls required
That the Committee refuse the application.	It is likely that this would be challenged by the applicant. There is also a risk that the water borne activities are greatly reduced or cease altogether	Approve the construction of the jetties and dredging as detailed. The Lake and Parking Services Officer and Lake Wardens are both content with the application submitted.

CONTACT OFFICERS

Report Author - – Frankie Flannigan, Lake and Parking Services Officer, Phone 01539796165, f.flannigan@southlakeland.gov.uk

APPENDICES ATTACHED TO THIS REPORT

Appendix No.	
1	Planning decision notice
2	Notification of Environment Agency consent
3	Application for encroachment
4	Application for dredging
5	Location Plan
6	Proposed existing and extent jetty plan
7	Proposed jetties drawings
8	Proposed dredging plan
9	Environmental method statement

BACKGROUND DOCUMENTS AVAILABLE

N/A

TRACKING INFORMATION

Assistant Director	Portfolio Holder	Solicitor to the Council	SMT	Scrutiny Committee
27/3/2018	N/A	27/03/2018	N/A	N/A
Executive (Cabinet)	Committee	Council	Section 151 Officer	Monitoring Officer
N/A		N/A	N/A	N/A
Human Resource Services Manager	Leader	Ward Councillor(s)		
N/A	N/A			