

**LAKE ADMINISTRATION COMMITTEE**

Minutes of the proceedings at a meeting of the Lake Administration Committee held in the The Marchesi Centre, Holly Road, Windermere LA23 2AF, on Friday, 13 April 2018, at 10.00 a.m.

Present

Councillors

Sue Sanderson (Chairman)

Roger Bingham  
Andrew Butcher  
Stan Collins

Gill Gardner  
Dyan Jones  
Annie Rawlinson

Vivienne Rees  
Graham Vincent  
David Williams

Representing Lakes Parish Council

Leslie Johnson

Representing Windermere Town Council

Kathleen Atkinson  
Jennifer Borer

Leith Hallatsch  
Adrian Legge

Apologies for absence were received from District Councillors David Evans, John Holmes and Phil Walker and Lakes Parish Councillors Fiona Sparrow and Philip Thompson.

Officers

Una Bell	Assistant Committee Services Officer
Frankie Flannigan	Lake and Parking Services Officer
Julia Krier	Solicitor (Property and Contracts)
Anthea Lowe	Solicitor to the Council
Dan Millican	Solicitor
Simon Rowley	Assistant Director Neighbourhood Services
David Sykes	Director People and Places

**LA/38 MINUTES**

RESOLVED – That the Chairman be authorised to sign, as a correct record, the minutes of the meeting of the Committee held on 26 January 2018.

**LA/39 DECLARATIONS OF INTEREST**

RESOLVED – That it be noted that no declarations of interest were raised.

**LA/40 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/41 PUBLIC PARTICIPATION**

The Solicitor to the Council informed the Members that as part of the annual review of the Constitution the General Public Participation scheme had been updated and the changes had been approved at the Council meeting on 28 March 2018. Members of the public wishing to make a representation would be required to register no later than 0:01am (one minute past midnight) two working days before the meeting.

RESOLVED – That it be noted that no questions, representations, deputations or petitions have been received in respect of this meeting.

**LA/42 PROGRESS REPORT**

The Director People and Places presented a report updating the Members on progress made on decisions taken at previous meetings of the Committee. He advised Members that the Lake User Forum's revised terms of reference had not yet been received and he would follow this up with the Lake District National Park Authority.

The Director People and Places confirmed that, at the June 2018 Lake Administration Committee meeting, there would be an appointment, from the Committee, to the Windermere Lake Action Plan Steering Group. Action Plan implementation planning was in progress, including engaging with other organisations.

With regard to the Windermere ferry ticket sales system, the Director People and Places highlighted the letter, included in the agenda pack, which had been sent to Cumbria County Council following the January meeting of the Lake Administration Committee. Councillor Dyan Jones addressed the Committee and informed them that she had attended the stakeholder meeting on 9 February 2018, it had been a very positive meeting with a number of user groups represented.

RESOLVED – That the report be noted.

**LA/43 ENCROACHMENT APPLICATION TOWER WOOD OUTDOOR EDUCATION CENTRE**

The Lake and Parking Services Officer presented a report which requested consideration of an application to replace two existing wooden jetties and to dredge an area of 190m<sup>2</sup> at the Tower Wood Outdoor Education Centre. He informed the Committee that the replacement jetties would be constructed from floating modular dock sections linked by hinged gangways and anchored by circular steel piles and that there would be an overall increase of encroachment area of 8.9m<sup>2</sup>. He explained that the dredging would cover an area of approximately 190m<sup>2</sup> to achieve a depth of 1m and the dredged material would be used to build a wash wall to improve the flow of water into the Lake.

Members agreed that it was an excellent covering report and the application had been put together very well and provided full details of the proposals with supporting documents.

RESOLVED – That the application for permission to replace the two existing wooden jetties and dredge an area of 190m<sup>2</sup> at the Tower Wood Outdoor Education Centre be approved, subject to the applicant agreeing to a revised encroachment agreement.

**LA/44 GUIDANCE NOTE REGARDING ENCROACHMENTS**

The Solicitor to the Council presented a report which outlined the proposed guidance note regarding encroachments. The guidance note included the steps which would have to be taken by customers who wished to apply to have their commercial encroachment changed to residential and also outlined the documentary evidence which would be required to support an application. She explained that the guidance note had been produced following a request from Members. The Council's property advisors, Lambert Smith Hampton, had been consulted and the guidance reflected their comments.

Members gave consideration to the documentation which would be required to be submitted in support of an application.

RESOLVED – That

- (1) the guidance note attached at Appendix A to the report be adopted for approval; and
- (2) the Director of Policy and Resources (Monitoring Officer) and the Solicitor to the Council be delegated the authority to make minor amendments to the guidance for the purpose of adding clarity or to reflect any changes in legislation.

**LA/45 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 items of business on the grounds that they involve 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/46 UPDATE ON COMMERCIAL LEASES AND ANNUAL ENCROACHMENTS**

- *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 Solicitor to the Council presented a report which provided Members with an update regarding commercial leases and annual encroachments around the Lake and the current position in relation to debt recovery actions. She explained that progress on debt recovery had continued and there had been a number of meetings which were beginning to show results.

Members were informed that an issue had arisen relating to the timeliness of correspondence regarding the fee increase for annual encroachments. This had now been resolved and steps put in place to ensure that the issue did not reoccur.

Members agreed that it was excellent to see the continued progress of debt recovery.

RESOLVED – That the report be noted.

**LA/47 FERRY NAB UPDATE**

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

The Director People and Places presented an update report on the completion of works at Ferry Nab boathouse. The update had been requested by Members at the meeting of the Lake Administration Committee on 26 January 2018. He informed the Members that the update referred to the report which had been presented to the Committee in June 2017 and which was attached at appendix 1 to the report.

Members considered the content of the report and agreed that a site visit would be very useful.

RESOLVED – That the report be noted.

**LA/48 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.