

DATED 21st April 1975

S.113

SOUTH LAKELAND DISTRICT COUNCIL

AND

WINDERMERE PARISH COUNCIL

AND

LAKES PARISH COUNCIL

A G R E E M E N T

for

the constitution of a Sub-Committee
for the Administration of Windermere
Lake

Alan F. Winstanley
Stricklandgate House
Kendal

ms/pf

THIS AGREEMENT is made the 11th day of April One thousand nine hundred and seventy-five BETWEEN SOUTH LAKELAND DISTRICT COUNCIL whose office is at Stricklandgate House Kendal in the County of Cumbria (hereinafter called the District Council) of the first part WINDERMERE PARISH COUNCIL whose office is at Windermere in the said County of the second part and LAKES PARISH COUNCIL whose office is at Ambleside in the said County of the third part

WHEREAS:-

(1)—The District Council are by virtue of the Local Government Act 1972 and various Orders made thereunder the owners of the bed of Lake Windermere situate within the area of the District Council and have resolved subject to the Windermere Parish Council foregoing their right to register a dispute to the transfer of the bed of the said Lake to the District Council that (a) the administration of the Lake be dealt with by a Sub-Committee of the District Council's Tourism Recreation and Amenities Committee which Sub-Committee is constituted as hereinafter provided and (b) subject as hereinafter contained the administration of all Lake matters including the management of the District Council's properties connected therewith be delegated to the said Sub-Committee

(2)—The Windermere Parish Council have requested the District Council in consideration of the Windermere Parish Council foregoing their right to register a dispute to the transfer of the bed of the said Lake to the District Council as aforesaid to enter into an agreement for the purpose of guaranteeing the constitution of and delegation of powers to the said Sub-Committee which the District Council have agreed to do

(3)—It has been agreed that the Lakes Parish Council should be made a party to this agreement

IT IS HEREBY AGREED as follows:-

1.—IN consideration of the Windermere Parish Council foregoing their right to register a dispute to the transfer of the bed of the said Lake to the District Council the District Council hereby agrees that in accordance with the before recited resolution the said Sub-Committee shall consist of twenty-four persons eight of whom shall be co-opted members (five of such co-opted members to be appointed by Windermere Parish Council and the remaining three co-opted members to be appointed by the Lakes Parish Council) and the remaining sixteen of whom shall be members of the District Council's Tourism Recreation and Amenities Committee (eight of whom shall represent District Council wards incorporating parishes abutting on the Lake and/or who have experience of Lake Administration) The co-opted members shall be appointed by the Parish Councils at the annual meetings of the Councils in the year of the ordinary Parish Council elections and shall hold office until their successors are appointed pursuant to this clause Any vacancy amongst the co-opted members arising from death or resignation shall be filled by an appointment by the Parish Council whose representative has thus ceased to be a member and any person so appointed shall hold office until the annual meeting of the Council which appointed him held in the year of the ordinary Parish Council elections In accordance with the foregoing provisions of this clause the first co-opted members shall hold office until the annual meetings of the Parish Councils in 1976 A person appointed as co-opted member shall take office as soon as the proper officer of the Parish Council which appointed him has given

written notice thereof to the proper officer of the District Council_____

2.—THE Chairman of the Sub-Committee shall be appointed from the sixteen members of the said
Tourism Recreation and Amenities Committee_____

3.—THE District Council in accordance with the before recited resolution hereby delegates to
the said Sub-Committee the administration of all Lake matters including the management of
the District Council's properties connected with the Lake and undertakes that the necessary
moneys to carry out the functions hereby delegated and the appropriate staff to execute the
decisions of the Sub-Committee shall be made available to it by the District Council PROVIDED
ALWAYS that before acting on any matter involving the adoption of any new policy or the
substantial extension or substantial modification of any existing policy the Sub-Committee
shall report thereon to the District Council's Policy and Finance Committee and obtain the
approval of the District Council to their proposed course of action_____

4.—ANY dispute under or arising out of Clause 3 of this Agreement shall be referred to a single
arbitrator in accordance with the provisions of the Arbitration Act 1950 or any statutory
modification or re-enactment thereof for the time being in force_____

5.—THIS Agreement shall remain in full force and effect until such time as agreement to the
contrary is reached between the parties hereto_____

6.—THE first co-opted members shall be:—_____

Representing Windermere Parish Council:

Councillor A. Brooks

Councillor F. A. Bullivant

Councillor T. B. Shelton

Councillor E. P. Simpson

Councillor C. W. Tyson

Representing Lakes Parish Council:

Councillor J. Holmes

Councillor M. Horrax

Councillor A. D. Mossop

AS WITNESS the hands of Alan Forshaw Winstanley Secretary and Legal Services Officer of
the District Council Daniel Shepherd Clerk of the Windermere Parish Council and Frank Ronald
Smith Clerk of the Lakes Parish Council the day and year first before written_____

SIGNED by the said)
ALAN FORSHAW WINSTANLEY)
in the presence of)

SIGNED by the said)
DANIEL SHEPHERD)
in the presence of)

SIGNED by the said)
FRANK RONALD SMITH)
(in the presence of)