

South Lakeland District Council
Lake Administration Committee
Friday, 22 April 2022

**Encroachment application to replace the three
jetties with a new floating jetty at Osprey and
Walkers Boathouses Windermere**

Portfolio: Customer and Locality Services
Report from: Director of Customer and Commercial Services
Report Author: Frankie Flannigan – Service Delivery Manager
Wards: Bowness & Levens;
Forward Plan: Not Applicable

Links to Council Plan Priorities:

Working across boundaries – N/A

Delivering a balanced community – encouraging a sustainable environment and inclusive economy, we will grow our green economy by making the best use of our parks, open spaces and lakes.

A fairer South Lakeland – N/A

Addressing the climate emergency – N/A

1.0 Expected Outcome and Measures of Success

1.1 The proposal is to replace the three existing jetties with a new single floating jetty with 9 fingers at right angles. This would provide 18 moorings in comparison to the existing 12 moorings.

2.0 Recommendation

2.1 Delegate the authority to the Director of Customer and Commercial Services to grant permission, subject to the completion of a new commercial encroachment agreement, for the following:

(1) **To remove the jetties**

(2) **To install a new extended floating jetty with 9 jetty fingers installed**

3.0 Background and Proposals

3.1 The three existing timber jetties to be replaced are located on the eastern shore of Lake Windermere, just to the north of the Ferry Road and within the Ferry Nab Marina. The jetties are visible from public views from the lake and from Ferry Road.

- 3.2 The proposed floating jetty would be of a similar design to the jetties at Ferry Nab. The jetty would extend 36.5 which is an extension of 12.5m to its current encroachment of 24m. This would include 9 finger jetties and galvanized steel piles. A steel bridge would connect the jetty to the concrete bank. These are approximate dimensions and a full survey will be carried out by the asset team on completion.
- 3.3 The jetties will be manufactured off site from galvanized steel and treated hardwood with non-slip decking.
- 3.4 A detailed survey has been carried out to identify any impacts on the navigation channel and adjacent mooring field. There will be an impact on 8 swinging moorings which will be relocated to the western edge of the current mooring field. Customers who are affected will be consulted with. The applicant will bear all costs in relation to the relocation.
- 3.5 The applicant has provided confirmation of the approved planning consent by The Lake District National Park Authority and a copy is attached. Environment agency consent has also been received.

4.0 Appendices Attached to this Report

Appendix No.	Name of Appendix
1	Planning notice decision
2	Notification of Environment Agency consent
3	Encroachment application
4	Location plan
5	Proposed layout
6	Proposed mooring relocation

5.0 Consultation

- 5.1 Informal consultation has taken place with the Lake Wardens. The Service Delivery Manager is also in possession of all relevant consents, risk assessments, method statements and plans. Please see appendices.

6.0 Alternative Options

- 6.1 The Committee could decide to refuse the application however this action is not recommended as there are no boundary issues with this location, planning permission has been granted by LDNPA and approval of the Environment Agency has been issued.

7.0 Implications

Financial, Resources and Procurement

- 7.1 A new commercial encroachment agreement will be required to ensure the appropriate income is received. On completion a full survey is to be carried out as part of the agreement. The costs to be paid by the applicant.

Human Resources

- 7.2 There are no staff implications.

Legal

- 7.3 A new Commercial encroachment agreement will be required following confirmation of agreed terms by the Council's Estates department. The Council's legal and professional fees in connection with the survey and the negotiation and completion of the new agreement will be recovered from the applicant.

Health and Sustainability Impact Assessment

- 7.4 Have you completed a Health, Social, Economic and Environmental Impact Assessment? No.
- 7.5 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

Equality and Diversity

- 7.6 Have you completed an Equality Impact Analysis? No
- 7.7 No equality and diversity implications arise out of this proposal

Risk Management	Consequence	Controls required
The Committee refuse the application.	It is likely to be challenged by the applicant	Allow the construction to proceed subject to a commercial encroachment agreement

Contact Officers

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Background Documents Available

Name of Background document	Where it is available
Not Applicable	

Tracking Information

Signed off by	Date sent	Date Signed off
Section 151 Officer	23/03/2022	01/04/2022
Monitoring Officer	23/03/2022	01/04/2022
CMT	Not Applicable	

Circulated to	Date sent
Lead Specialist	N/A
Human Resources Lead Specialist	N/A
Communications Team	N/A
Leader	N/A
Committee Chairman	N/A
Portfolio Holder	N/A
Ward Councillor(s)	N/A
Committee	N/A
Executive (Cabinet)	N/A
Council	N/A