



To: the Chair and Members of the Lake Administration Committee

Agenda

Dear Member

LAKE ADMINISTRATION COMMITTEE

A meeting of the Lake Administration Committee will be held as follows:

Date: Monday, 8 January 2024

Time: 10.30 am

Venue: District Council Chamber - Kendal Town Hall - Kendal Town Hall, Lowther Street, Kendal, LA9 4DQ,

A handwritten signature in black ink, appearing to read 'Linda Jones'.

Linda Jones
Chief Legal and Monitoring Officer
Westmorland and Furness Council

Enquiries and requests for supporting papers to:
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MEMBERSHIP

Cllr G Archibald
Cllr T Assouad
Cllr S Bavin
Cllr J Boak
Cllr M Brereton
Cllr W Clark
Cllr J Cornthwaite
Cllr L Hall
Cllr M Hanley
Cllr A Jarvis
Cllr D Jones
Cllr D Rathbone
Cllr M Robinson

Reserves
Cllr J Battye
Cllr V Hughes
Cllr S Sanderson

Cllr A Burns
Cllr T Callister
Cllr B McEwan

Cllr B Cooper
Cllr H Irving

Lakes Parish Council

Cllr J Cunningham
Cllr P Thompson
Cllr P Wileman
Cllr A Biggs (Reserve)

Windermere and Bowness Town Council

Cllr J Borer
Cllr L Hallatsch
Cllr P Hamilton
Cllr A Legge
Cllr J Saunders
Cllr S Lilley (Reserve)

ACCESS TO INFORMATION

Agenda and Reports

Copies of the agenda and Part I reports are available for members of the public to inspect prior to the meeting. Copies will also be available at the meeting.

The agenda and Part I reports are also available on the Westmorland and Furness website

[HTTPS://WESTMORLANDANDFURNESS.MODERNGOV.CO.UK/IELISTMEETINGS.ASPX?COMMITTEEID=223](https://westmorlandandfurness.moderngov.co.uk/ielistmeetings.aspx?committeeid=223)

A G E N D A

1. Apologies for Absence

To receive any apologies for absence.

2. Declarations of Interest/Dispensations

To receive declarations of interest by members of any interests on respect of items on this agenda, and to consider any dispensations.

Members may however, also decide, in the interests of clarity and transparency, to declare at this point in the meeting, any such disclosable pecuniary interests which they have already declared in the Register, as well as any other registerable or other interests.

3. Exclusion of Press and Public

To consider whether the press and public should be excluded from the meeting during consideration of any item on the agenda.

4. Minutes of the Previous Meeting

To consider the minutes of the previous meeting held on 8 September 2023 (copy enclosed).

(Pages 5 - 12)

5. Lake Fees and Charges 2024/25

To consider the annual Fees and Charges for the Lake Service area for 2024/25.

(Pages 13 - 32)

6. Urgent Items

To consider any urgent items of business.

PART II - ITEMS CONSIDERED NOT IN THE PRESENCE OF THE PRESS AND PUBLIC

7. Update on Commercial Leases and Annual Encroachments

To update Members on Commercial Leases and Annual Encroachments.

(Pages 33 - 38)

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

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Agenda Item 4

WESTMORLAND AND FURNESS COUNCIL LAKE ADMINISTRATION COMMITTEE

Minutes of a Meeting of the **Lake Administration Committee** held on Friday, 8 September 2023 at 10.30 am at District Council Chamber - Kendal Town Hall - Kendal Town Hall, Lowther Street, Kendal, LA9 4DQ

PRESENT:

Cllr G Archibald
Cllr T Assouad
Cllr J Battye
Cllr S Bavin
Cllr W Clark (Chair)
Cllr J Drake
Cllr M Hanley
Cllr V Hughes
Cllr H Irving
Cllr A Jarvis
Cllr D Jones
Cllr M Robinson

Co-optees

Cllr J Borer
Cllr J Cunningham
Cllr L Hallatsch
Cllr P Hamilton
Cllr A Legge
Cllr SI Lilley
Cllr J Saunders
Cllr P Thompson
Cllr P Wileman

Officers in attendance:

Mrs J Currie	Democratic Services
Ms F Flannigan	Service Delivery Manager
Ms H Smith	Interim Section 151 Officer
Mrs D Walls	Legal, Governance and Democracy Specialist (Solicitor)

PART I ITEMS CONSIDERED IN THE PRESENCE OF THE PUBLIC AND PRESS

21. APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllrs Boak, Brereton (Cllr Irving substitute), Cornthwaite, Endsor (Cllr V Hughes substitute), Filmore, Rathbone (Cllr Battye substitute) and Saunders (Cllr Lilley substitute).

22. DECLARATIONS OF INTEREST/DISPENSATIONS

Cllr Clark declared a non-pecuniary interest in Agenda Item No 10 – Update on Commercial Leases and Annual Encroachments, as he knew one of the encroachment holders. He would leave the meeting during this item and pass the Chair duties over to the Vice Chair.

23. EXCLUSION OF PRESS AND PUBLIC

RESOLVED, that the press and public be excluded during consideration of Agenda Item No 10 – Update on Commercial Leases and Annual Encroachments by virtue of Paragraph 1 of Part I of Schedule 12A of the Local Government Act 1972, as these reports contains exempt information relating to an individual; Paragraph 2 – information which is likely to reveal the identity of an individual and Paragraph 3 – information relating to the financial or business affairs of any particular person, (including the authority holding that information), and Paragraph 5 – information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

24. MINUTES OF THE PREVIOUS MEETING

RESOLVED, that the minutes of the previous meeting held on 22 June 2023 be agreed with the following amendment:

Attendance Add Cllr V Hughes to the list of those present at the meeting. Cllr Hughes substituted for Cllr Rathbone.

25. ENCROACHMENT APPLICATION TO REPLACE JETTIES AND RENEW CONCRETE LAUNCH AND SLIPWAYS AT FELLFOOT PARK, BOWNESS-ON-WINDERMERE, LA12 8NN

Members considered a report which outlined an encroachment application for the replacement of Jetty 1 with the existing Jetty 2 and replacing Jetty 3 with a new floating jetty on a site located within Fell Foot Park on the Eastern shore of Windermere and was seeking consent to proceed with the changes.

The Operational Lead Service Delivery informed members that repair and replacement of the slipways/launches would be done using reinforced concrete and a coffer dam would be in place.

The applicant would use appropriate measures to minimise sediment mobilisation and impact on biodiversity to prevent and minimise environmental harm.

Members noted there would be no impact on the Arctic Char spawning grounds, and that a Macrophyte survey had also been carried out with no concerns raised.

The applicant had provided confirmation of the approved planning consent by the Lake District National Park Authority.

Cllr Archibald commented that the application stated that there would be appropriate measures implemented on biodiversity. He asked what steps officers would take to ensure there was no impact on biodiversity.

The Operational Lead Service Delivery said that the Wardens would monitor this and any breaches would be reported to the Environment Agency.

Cllr Archibald wanted to understand what measures would be in place and the officer said a detailed document had been produced and would be used during the monitoring and inspection of the location.

RESOLVED, that the Lake Administration Committee delegate the authority to the Director of Thriving Places to grant permission, subject to the completion of a new commercial encroachment agreement, for the following:

- (i) Replacement of Jetty 1 with existing jetty number 2.
- (ii) Replacement of Jetty 3 with a new floating jetty.
- (iii) Renewal of concrete launch and slipways.

26. ENCROACHMENT APPLICATION TO REINSTATE AND EXTEND THE TRADITIONAL WOODEN JETTIES AT HILL OF OAKS HOLIDAY PARK, WINDERMERE, LA12 8NR

The Operational Lead Service Delivery presented a report which detailed an encroachment application to reinstate and extend the traditional wooden jetties at Hill of Oaks Holiday Park in Windermere.

Hill of Oaks was located on the eastern shore of Windermere which catered for touring caravan's motor homes and holiday home owners. There were also self-catering apartments and glamping pods. The applicant was seeking consent to extend two traditional wooden jetties to be used commercially as part of the holiday park facilities.

The proposed works were to replace two jetties in poor condition where the timber piles were rotting. The new jetties would be on the same footprint as the existing jetty but lengthened by 10m from their present lengths.

Member noted that the applicant would use appropriate measures to minimise sediment mobilisation and impact on biodiversity to prevent and minimise environmental harm.

The Operational Lead Service Delivery informed members that there was no impact on the Arctic Char spawning grounds, and that a Macrophyte survey had also been carried out with no concerns raised

The applicant had provided confirmation of the approved planning consent by the Lake District National Park Authority.

Cllr Jones asked whether the extension was needed due to the increase in the number of boats or because the water levels were dropping.

The officer responded to say that the water levels were fairly consistent but that there were advantages to deeper dredging.

RESOLVED, that the Lake Administration Committee delegate the authority to the Director of Thriving Places to grant permission, subject to the completion of a new Commercial encroachment agreement, for the following:

- (i) To reinstate the existing and extend the jetty 1 by 64m2
- (ii) To reinstate the existing and the extend jetty 2 by 41.6m2.

27. ENCROACHMENT APPLICATION TO REPLACE THE EXISTING BOATHOUSE AND WOODEN JETTY WITH AN ADDITIONAL SLIPWAY AT GUMMERS HOW, NEWBY BRIDGE, LA12 8NP

Members had before them an encroachment application to replace the existing boathouse and wooden jetty with an additional slipway at Gummers How, Newby Bridge.

The Operational Lead Service Delivery informed members that Gummers How House was a dwelling located between the A592 and Lake Windermere, approximately 1.5 km north of Fell Foot Park. Approval was sought to replace the existing boathouse with a twin berth boathouse together with a first floor dayroom, a traditional wooden jetty, reinforced concrete slipway to the northern side, dredging of the lake bed and a package sewage treatment plant (PSTP).

The applicant would use appropriate measures to minimise sediment mobilisation and impact on biodiversity to prevent and minimise environmental harm.

Members noted that the applicant had provided confirmation of the approved planning consent by the Lake District National Park Authority, and that Environment Agency approval had also been received.

The recommendations were proposed by Cllr Jarvis and seconded by Cllr Archibald.

Cllr Bavin asked what would happen to the spoil during dredging and the officer responded to say that there were number of options for the spoil during dredging including landscaping, and being taken away by license.

Cllr Archibald said the package sewage treatment plant was a sensitive issue and he asked if officers had any information about the improvement plant and the treatment of the sewage and water quality.

The Operational Lead Service Delivery agreed it was a sensitive issue but the current treatment plants are very efficient and effective. Some of the technology being used at the plant was the same as was used previously. The monitoring of the water quality was carried out by the Environment Agency, not the council.

Cllr Archibald sought assurances that the Environment Agency would actually be monitoring this plant.

The Operational Lead Service Delivery assured members that the Environment Agency would not issue a licence if they felt the plant would be inefficient.

Cllr Jarvis shared some of the concerns made by Cllr Archibald especially around the removal of phosphorous. He was content with the application today but asked for further clarification on the committee's responsibilities in relation to this. In future could the Committee refuse permission based on it not being satisfied with the water quality and treatment.

The officer responded to say that in regards to encroachment this was about the lake bed and he confirmed that the plant would not sit on the lake bed.

He would seek clarification on the committee's responsibilities regarding grounds for refusal in connection to future applications involving the discharge from water treatment plants.

Cllr Legge reminded members that this application had been originally refused by the National Park but overturned on appeal. If this committee was unhappy with the application where does it stand in relation to this.

The officer said it was in the committee's gift to be able to refuse this but it would be open to challenge. However, he reminded members that the appeal had been based on things other than the encroachment. This committee only had a remit for the encroachment element of the application.

RESOLVED, that the Lake Administration Committee delegate the authority to the Director of Thriving Places to grant permission, subject to the completion of a new commercial encroachment agreement, for the following:

- (i) Demolish and replace the existing boathouse.
- (ii) Remove the existing jetty and replace with a new traditional wooden jetty.
- (iii) Install a new reinforced concrete slipway.
- (iv) Associated dredging of the lake bed.
- (v) Installation package sewage treatment plant and a submerged outfall drainage and retaining wall into the lake.

28. ENCROACHMENT APPLICATION FOR CONSENT TO REPLACE THE DILAPIDATED TIMBER JETTY WITH A NEW TRADITIONAL WOODEN JETTY AT THE LANGDALE CHASE HOTEL, WINDERMERE, LA23 1LW

The Operational Lead Service Delivery presented a report for an encroachment application to replace the dilapidated timber jetty with a new traditional jetty at the Langdale Chase Hotel Windermere.

The Langdale Hotel which was a Grade 2 listed building, was a very popular hotel within the Lake District. On the Eastern shore of Windermere, the hotel was currently going through a major refurbishment and the new jetty formed part of that overall project; there would be no impact on the Grade 2 listed status.

The applicant would use appropriate measures to minimise sediment mobilisation and impact on biodiversity to prevent and minimise environmental harm.

There would be no impact on the Arctic Char spawning grounds, and a Macrophyte survey had also been carried out with no concerns raised.

The applicant had provided confirmation of the approved planning consent by the Lake District National Park Authority.

Members noted that on completion of the proposed works a full survey would be carried out by the asset team.

Cllr Hallatsch pointed out that the wrong ward was listed on the report and this was noted by members.

RESOLVED, that the Lake Administration Committee delegates the authority to the Director of Thriving Places to grant permission, subject to the completion of a new commercial encroachment agreement, for the following:

- (i) Removal of the existing dilapidated jetty.
- (ii) Replacement with a new traditional wooden jetty.

29. URGENT ITEMS

There were no urgent items of business.

**PART II - ITEMS CONSIDERED NOT IN THE PRESENCE
OF THE PRESS AND PUBLIC**

30. UPDATE ON COMMERCIAL LEASES AND ANNUAL ENCROACHMENTS

Cllr Clark declared a non-pecuniary interest in this item, as he knew one of the encroachment holders. He left the meeting at this point and passed the Chair duties over to the Vice Chair.

The Specialist Solicitor - Legal, Governance & Democracy presented a report which updated Members on commercial leases and annual encroachments around Lake Windermere and the current position in relation to non-payments of rents and fees.

Members discussed the report and raised a number of queries. Upon conclusion of the discussions it was,

RESOLVED, that the report be noted.

The meeting ended at 11.25 am

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Agenda Item 5

Westmorland and Furness Council

Report Title:	Lake Fees and Charges 2024/25
Meeting:	Lake Administration Committee
Meeting Date:	Monday 8 Jan 2024
Report Author:	Director of Resources (S151)
Lead Cabinet Member(s):	Cabinet Member for Finance
Wards Affected?	All
PUBLIC, PART EXEMPT OR FULLY EXEMPT	Public
List of Appendices (if any)	Appendix 1 - Westmorland and Furness Council Fees and Charges Policy Appendix 2 - Draft Fees and charges 2024/25

1. Executive Summary

- 1.1 The Committee has the responsibility to set the annual Fees and Charges for the Lakes Service area. When considering the Fees and Charges, the Committee need to take account of service demand, equity and value for money as well as the Council plan and the Medium Term Financial Plan (MTFP) requirements of Westmorland and Furness Council. The Committee is also required to ensure that the requirements of the Westmorland and Furness Council Fees and Charges Policy have been followed.

2. Recommendation

For the reasons set out in this report, it is recommended that – The Lake Administration Committee

- 2.1 **Approve the fees and charges as shown in Appendix 1 which shows an increase of 10% to all fees and charges where practical.**
- 2.2 **Approves the Section 151 Officer to build the fees and charges into the budget for Westmorland and Furness Council for 2024/25.**

3. Information: the Rationale and Evidence

- 3.1 The Shadow Authority for Westmorland and Furness Council agreed the Westmorland and Furness Council Fees and Charges Policy (Appendix 1) as part of the 2023/24 Budget and Medium Term Financial Plan 2023-2028 (MTFP) which states under the general principles that

‘General changes to fees and charges in line with inflation, would be approved as part of the budget setting process. On an exception basis where, following review, changes are proposed other than in line with inflation then these would also be approved as part of the budget setting process.’

- 3.2 The September CPI rate announced was 6.7% and this rate is proposed to be applied to all discretionary fees and charges for the Council in 2024/25 (10.1% 2023/24). The proposed 10% uplift (rounded to the nearest 10p reflects, as a direct result of unprecedentedly high inflation during 2022/23 and in 2023/24.
- 3.3 The proposed increase of 10% ensures that we are able to meet the additional running costs as well as supporting the proposed additional lake wardens who will include support the effective collection of our existing income. This will minimise the impact of the additional running costs impacting on other services or falling to all Council tax payers.
- 4. Link to Council Plan Priorities: (People, Climate, Communities, Economy and Culture, Customers, Workforce)**
- 4.1 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.
- 4.2 The fees and charges proposals form part of the Budget preparation process for Westmorland and Furness Council, who will take the final decision on the overall budget in February 2024.
- 5. Consultation Outcomes (with services, ward councillors & public consultation where required)**
- 5.1 The Cabinet Member for Finance, has been consulted on the proposed fees and charges.
- 6. Alternative Options Considered**
- 6.1 To not increase fees and charges.
This is not recommended and would not be in line with the Medium Term Financial Plan.
- 6.2 To increase the fees at a different rate to that proposed.
This is not recommended and would not be in line with the Medium Term Financial Plan
- 7. Financial Implications and risk**
- 7.1 The financial implication of the recommendation within this report is to generate c£0.135m additional income for the Council, to support the operation of Lake Windermere and to ensure existing income is effectively collected.
- 7.2 Should the committee agree not to increase the fees and charges or increase them by a lower % than that recommended, there is a risk that the cost of the

Lake Service is not met by the income received. There is also a risk that the base budget level of income cannot be collected.

8. Legal & Governance Implications

- 8.1 Legal input will be required to prepare any licences, encroachment agreements as well as to deal with any challenges to the Encroachment areas and fee increases. Costs may be required to cover any legal action we decide to take. Our fees and charges are set by the Council.
- 8.2 Furthermore, legal input may be necessary to respond to any issues that might impact upon the effective operation of the service and the level of fees that can be charged.

9. Human Resources Implications

- 9.1 There are no Human Resource implications with this proposal.

10. Equality & Diversity Implications (including the public sector equality duty, Armed Forces Families, Care Leavers and Health inequalities implications)

- 10.1 A sustainability impact assessment: Not applicable
- 10.2 Equality impact analysis assessment :Not applicable

11. Background Information & Sources (used in preparation of this Report)

- 11.1 Westmorland and Furness Council Fees and Charges Policy

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Westmorland and Furness Council Fees and Charges Policy

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1.0 Introduction

- 1.1 An important element of the overall funding of the Council's services is the ability to raise revenue from fees and charges.
- 1.2 The overall aim is to ensure that the proportion of income raised from users of discretionary services meets the full cost of these services, rather than the costs falling on Council Taxpayers in general.
- 1.3 For some services, criteria may be set to apply concessions and other discretionary reductions in fees.
- 1.4 Due to the implementation of Local Government Reorganisation in Cumbria, this policy represents Westmorland and Furness Council's first Fees and Charges policy, effective from 1 April 2023, and will replace the Fees and Charges policies previously in place with the respective sovereign Councils.
- 1.5 Fees and charges play a key role in furthering service and strategic objectives and they should be considered and reviewed regularly. This should include the appropriateness and adequacy of the level of charges in force or being proposed.
- 1.6 This should be done within a general policy framework, which in turn should be carried out within the framework of the Council's service and budget planning process.
- 1.7 Services must provide a schedule of fees and charges for the forthcoming year as part of the annual budget process. For 2023/24 a fees and charges schedule will be published on the Council's website by 1 April 2023.

2.0 Purpose

- 2.1 The purpose of this policy is to establish a framework within which the fees and charges can be levied and regularly reviewed.
- 2.2 The aim of this policy is for Cabinet to agree a charging policy and confirm the principles that the Section 151 Officer in consultation with the relevant Directors will apply. The policy allows the Council to have a properly considered, consistent and informed approach to all the charges it sets. This will support the delivery of the Council Plan and annual budget decisions.
- 2.3 The setting and review of fees and charges is part of the Council's annual budget setting process. 2023/24 includes harmonisation principles applied across the former district services; for all subsequent years the changes applied to fees and charges for the forthcoming financial year will be presented for approval, as part of the budget report, to Full Council each year.
- 2.4 For clarification, the changes will include the relevant inflation factor applied to price increases and any changes or exceptions to this increase due to market conditions etc.

3.0 Scope

- 3.1 Councils cannot charge for all the services that it provides. They cannot charge for services that they have a statutory duty to provide.
- 3.2 This policy applies to the setting and review of all fees and charges for Council services where the Council has discretion to apply a charge and discretion over the level of charge applied.

4.0 Background - legislation

- 4.1 Section 3 of the Localism Act 2011 allows Councils to charge for discretionary services offered under their general power of competence and sits alongside the powers already available under Section 93 of the Local Government Act 2003.
- 4.2 Discretionary services are those which an authority has the power to but is not obliged to provide.
- 4.3 Additions or enhancements to mandatory services above the standard that a Council has a duty to provide may be provided as discretionary services.
- 4.4 The Act introduced the following key points:
- Councils are under a duty to ensure that, taking one year with another, the income from charges do not exceed the costs of provision
 - The recipient of the discretionary service must have agreed to its provision and agreed to pay for it
 - Charges may be set differentially, so that different people are charged different amounts.
- 4.5 When determining the charge for services, the legal basis for charging needs to be clear, as well as considering the wider equalities implications which may be involved affecting accessibility of all groups to council services.

5.0 Charging Models

- 5.1 Generally, services fall into six main categories for charging purposes. These categories are set out in the Table 1:

Table 1: Charging Models

Category	Objective
Full cost recovery	To maximise revenue with an overall objective of recovering the full cost of provision, including overheads and capital charges
Full cost recovery with concessionary discounts	As above, but with discounted concessions being given to enable disadvantaged groups to access the service
Subsidised	Widely accessible but users should make some contribution to the service
Nominal	The Council wishes the service to be fully available but sets a charge to discourage frivolous usage
Free	To make the service fully available at no charge
Statutory	Charges are set in line with legal obligation

6.0 General Principles

- 6.1 In general terms, it is the Council's policy that a charge should be levied for all discretionary services in accordance with this policy, unless there is a good reason why an exception should be made.
- 6.2 Primarily, responsibility rests with Directors to take appropriate action in relation to fees and charges levied for services.
- 6.3 In establishing new charges, the basis and extent of any discounts or concession, or considering changes to existing charges, the relevant Directors will have regard to advice and guidance set out in this policy.
- 6.4 For existing charges, there is to be a general policy presumption that the levels of fees and charges should rise, each year, in line with the rate of inflation, as determined as part of the budget planning process.
- 6.5 General changes to fees and charges in line with inflation, would be approved as part of the budget setting process. On an exception basis where, following review, changes are proposed other than in line with inflation then these would also be approved as part of the budget setting process.
- 6.6 Consideration should be given, and advice sought where required, in relation to the need for an Equality Impact Assessment for any significant changes to existing fees and charges or the introduction of new fees and charges.

7.0 Local Government Reorganisation (LGR)

- 7.1 Due to the implementation of LGR in Cumbria, fees and charges within the previous District Councils have been reviewed to establish where it is appropriate to adopt a harmonised rate, effective from 1 April 2023.
- 7.2 As part of the review, fees and charges were categorised and associated principles approved by Members at the Shadow Executive meeting on 11 November 2022,

as detailed in the Fees and Charges Harmonisation report presented at the meeting.

7.3 The relevant categories and approved principles/decisions, is presented in the following table:

Table 2: Fees and Charges Categorisation and Principle/Decision

Category	Description	Principle/Decision
1	Fee/charge set in line with legal obligations	Charges are set by statute so we will adopt the new charge set (Often not notified till March/ April)
2	Fee/charge presenting a mix of charging and no charge by sovereign councils	Charges have been reviewed and where possible harmonisation has been implemented. Where a wider review of harmonisation of service provision is required the decision to harmonise charges will be taken as part of that review and introduced in 2024/25.
3	Services dependant on their geographical location	No change – no harmonisation from Day 1 Review in 2024/25.
4a	Marginal differences in current rates	Where the average provides for less than a £30 and 30% shift Harmonise to the average fee for all
4b		Where the average provides for more than, both a £30 and 30% shift No change – keep separate fees with no harmonisation from 1 April 2023. Review in 2024/25

5	Wider range in current rates and/or different basis of charging	No Change – no harmonisation proposed in 2023/24
6	Different levels of service	Where a wider review of harmonisation of service provision is required the decision to harmonise charges will be taken as part of that review and introduced in 2024/25.
7	Concessions and discounts currently applied to services by some sovereign Councils	Concession continued for 2023/24.

7.5 A harmonised rate for those services identified within category 4 has been achieved by taking an average of the sovereign Council's rates, and then raised to reflect inflationary increases, at 10%. As significant changes will not be made to the delivery of services from 1 April 2023, the average fee will be in line with the aggregated cost of providing the services from Vesting Day, prior to any transformation.

7.6 Where fees and charges are not being harmonised from 1 April 2023, the Council is committed to harmonising fees and charges where it is appropriate to do so, as soon as is practicable. For those fees and charges which have not been harmonised from 1 April 2023, separate rates between the areas of Westmorland and Furness Council will be in place. These will be reviewed within 12 months, in conjunction with service planning and transformation strategies. Any proposals will form part of the annual budget setting process or be subject to the in-year changes process.

7.7 It is recommended that where service transformation is undertaken after 1 April 2023 that an Equality Impact Assessment is developed as part of this process, including the review of any changes to fees and charges.

7.8 As part of the harmonisation review for 1 April 2023 an Equality Impact Assessment – Screening has been carried out and is available as an appendix to the overall budget report at Appendix G.

8.0 New Fees and Charges Proposal

8.1 Proposals for new fees and charges must be considered within the service and budget planning process, which result in a change in policy, shall be submitted to Cabinet for approval as an in-year change.

8.2 Reasonable notice should be given to service users before any new charge is implemented, together with clear advice on discounts or concessions available.

- 8.3 The effects of any new charge on service usage and income generated will be monitored regularly over the first 12 months and reviewed within the next service and budget planning process.

9.0 Discounts and Concessions

- 9.1 There will be some circumstances where it may be appropriate to consider offering discounts or concessions in relation to particular activities or customer groups on a basis which is consistent with achieving the Council's overall objectives. Specific points to consider when establishing or reviewing the level of any discount or concession offered for a particular service include:

- Are we benefiting local residents?
- Can a discount policy contribute to wider policy objectives aimed at maximising access to services from among disadvantaged groups?
- Is the policy to target specific groups with discounts still valid?
- Are there other groups that should be considered for discounts?

- 9.2 In some circumstances discounts may not be appropriate, and in all cases, it will be necessary to carefully consider the impact on income before introducing discounts or concessions to service areas which do not currently offer them.

10.0 Reviewing of Fees and Charges

- 10.1 Service Managers must consider charging policies and current levels of fees/charges each year as part of the service and budget planning process. As indicated earlier, the assumption is that they will be maintained in real terms over time and increased in line with inflation annually.

- 10.2 Any source of income with an annual budget in excess of £250,000 per annum should be subject to detailed review annually within the service and budget planning process.

- 10.3 Sources of income with a budget of less than £250,000 per annum should be subject to a detailed review over a minimum three year period.

- 10.4 Where there are any significant changes during the course of a year, such as costs, market forces, service levels or delivery, which materially affect current charge and revenues, then that charge should be reviewed, and any proposed changes considered in line with the in-year changes approval process.

11.0 Collection of Fees and Charges

- 11.1 Wherever it is reasonable to do so, fees/charges should be collected in advance or at the point of service delivery.

11.2 Where fees/charges are to be collected after service delivery has commenced, invoices will be issued promptly, and as necessary appropriate recovery procedures should be followed.

12.0 Recording of Fees and Charges

12.1 Each service area should maintain a schedule of fees and charges levied. This schedule should include, but identify separately, those charges where there are national/external procedures or other specific procedures for determining and reviewing rates of charge. In all cases, however, the schedule should include:

- The basis of the charge
- Current rates of charge (indicating if Vat is included or excluded)
- Estimated revenue income in current year

12.2 When the charges are being reviewed as part of the service and budget planning process:

- Proposed increase
- Percentage increase
- Proposed rate of charge
- Effective date for increase
- Estimated revenue in full year

12.3 The Directorates should also maintain records of service users who receive a discount or concession.

12.4 This will assist with the proper consideration and approval of fees and charges and subsequent changes, through the service and budget planning process.

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Lake Windermere

Description	Council Discretion (D) /	2023/24 Fee Including VAT (if applicable)	2024/25 Fee Including VAT (if applicable)	% increase	Total income from fee	Comments
Permanent Mooring						
Charges per annum (Inclusive of VAT)						
All non-commercial mooring licensee entitled to limited free use of slipway tractor, mast hoist and showers.						
(3rd Party insurance compulsory)						
Open deck yachts moored annually	D	£846.00	£930.60	10.00%		
All other crafts, overall length up to max of 14m (per 1.0m)	D	£152.40	£167.60	9.97%		
Minimum charge for all other crafts as above	D	£651.60	£716.80	10.01%		
Mooring with no boat attached	D	£651.60	£716.80	10.01%		
Commercial all sizes up to a max of 11m (36ft)	D	£1,669.50	£1,836.50	10.00%		
Commercial service moorings (all sizes)	D	£1,454.40	£1,599.80	10.00%		
Local resident discount <i>(Applicable to mooring holders who pay Council Tax at the full rate, are not in trailers and declare that their sole or main residence is in Westmorland and Furness)</i>	D	£217.20	£238.90	9.99%		
Jetty Berths						
Berth for vessels 13 metres to 14 metres <i>Local residents discount does not apply to Jetty Berths</i>	D	£7,020.00	£7,722.00	10.00%		
Berth for vessels 12 metres to 13 metres To include free parking permit for 1 car (excluding winter)	D	£6,510.00	£7,161.00	10.00%		
Berth for vessels up to 12 metres	D	£6,016.50	£6,618.20	10.00%		
Winter Jetty Berth <i>Local residents discount does not apply to Jetty Berths</i>	D	£1,155.00	£1,270.50	10.00%		
Electricity Card	D	At cost plus 10%	At cost plus 10%	N/A		
Holiday Moorings and Berths (April- October)						
(3rd Party insurance compulsory)						
Per night mooring excluding launch	D	£15.76	£17.30	9.80%		
Off season block bookings (1st November -31st March)	D	£315.60	£347.20	10.01%		
Short Stay Jetty berth per night up to 24 hours (Ferry Nab Only)	D	£41.40	£45.50	9.90%		
Penalty for overnight charges	D	£56.40	£62.00	9.93%		
Daily Slipway Charges						
Does not include car & trailer parking.						
		£14.76	£16.20	9.76%		
Motorised craft						
All craft up to 11m (36ft)		Local discount 25%	Local discount 25%	N/A		
Sale of block of 10 launching tickets		Non-local discount 10%	Non-local discount 10%	N/A		

Lake Windermere

Description	Council Discretion (D) /	2023/24 Fee including VAT (if applicable)	2024/25 Fee including VAT (if applicable)	% increase	Total income from fee	Comments
Non-motorised craft						
Windsurfers, canoes and untrailer dinghies Ferry Nab only		No charge	No charge	N/A		
Waterhead Slipway						
All craft up to 6m with max 5hp		£3.36	£3.70	10.12%		
Waterhead- up to 6m overall length of craft and max 5 hp						
Encroachments						
The VAT treatment of the encroachment depends on whether the Council has exercised its option to tax the individual encroachment site.						
If the option has been exercised for the site, then the supply is vatable at the standard rate.						
Private						
Jetties, piers, quays, wharfs, catwalks,boathouse and wet docks Chargeable per square metre		£31.50	£34.70	10.16%		
Commercial						
Jetties, piers, quays, wharfs, catwalks, boathouses and wet docks Chargeable per square metre		£56.70	£62.40	10.05%		

Lake Windermere

Description	Council Discretion (D) /	2023/24 Fee Including VAT (if applicable)	2024/25 Fee Including VAT (if applicable)	% increase	Total income from fee	Comments
Slipways						
Private per linear Metre		£23.60	£26.00	10.17%		
Commercial per linear metre		£43.10	£47.40	9.98%		
Mooring Posts						
Private		£7.50	£8.30	10.67%		
Commercial		£14.20	£15.60	9.86%		
Fences and walls						
Per Linear metre in length Private		£23.60	£26.00	10.17%		
Per Linear metre in length Commercial		£43.00	£47.30	10.00%		
Railway lines - per pair Private		£82.50	£90.80	10.06%		
Railway lines - per pair Commercial		£151.00	£166.10	10.00%		
Cables - each Private		£82.50	£90.80	10.06%		
Cables - each Commercial		£151.00	£166.10	10.00%		
Trot mooring chain- per 0.304m		£5.35	£5.90	10.28%		
Trot mooring		£703.50	£773.90	10.01%		
Administration charge		£207.00	£227.70	10.00%		
Storage of Boats						
Annual Storage of Boats						
Mooring licences (tenders) Per annum (in racks)		£130.80	£143.90	10.02%		
Trailered sailing dinghy Slipping and tractor not included per max 5.5m (18ft) per year		£362.40	£398.60	9.99%		
Catamarans		£483.00	£531.30	10.00%		
Holiday Boat Storage (Apr-Oct)						
Trailered sailing dinghy per max 5.5m (18ft) per night		£11.04	£12.10	9.60%		
Powered Craft and Catamarans		£28.92	£31.80	9.96%		
(Max L.O.A. 5.5m- Min 3rd Party Ins)						
Ferry Nab Winter Storage (Nov-March)						
per metre		£44.10	£48.50	9.98%		
Trailer parking per month		£37.80	£41.60	10.05%		

Lake Windermere

Description	Council Discretion (D) /	2023/24 Fee including VAT (if applicable)	2024/25 Fee including VAT (if applicable)	% increase	Total income from fee	Comments
Licence Fee						
Row boats/windsurfers and sailing dinghies		£25.80	£28.40	10.08%		
All other craft:						
Up to 6.09 metres		£47.40	£52.10	9.92%		
Over 6.09 mtrs & up to 9.14 metres		£69.50	£76.50	10.07%		
Over 9.14 metres		£107.50	£118.30	10.05%		
Boatmen/Shoremen - 6 years		£223.50	£245.90	10.02%		
Boatmen/Shoremen - 1 year		£84.00	£92.40	10.00%		
Retest fee		£84.00	£92.40	10.00%		

Lake Windermere

Description	Council Discretion (D) /	2023/24 Fee including VAT (if applicable)	2024/25 Fee including VAT (if applicable)	% increase	Total income from fee	Comments
Other						
Tractor per half hour		£32.40	£35.60	9.88%		
Mast Hoist per use		£32.40	£35.60	9.88%		
Warden Boat hire per hour - non Emergency		£273.00	£300.30	10.00%		
Towing per half hour		£227.50	£250.30	10.02%		
Pressure washer		£32.40	£35.60	9.88%		
Maps - Laminated		£5.75	£6.30	9.57%		
Registration number boards		£16.80	£18.50	10.12%		
Mooring holder & storage client						
Car parking first 24hrs		As per Ferry Nab Multi Tariff	As per Ferry Nab Multi Tariff	N/A		
concurrent 24 hrs		As per Ferry Nab Multi Tariff	As per Ferry Nab Multi Tariff	N/A		
Parking Permit		£210.00	£231.00	10.00%		
Car & trailer parking all day when launching		£14.16	£15.60	10.17%		
Sewage Pump out						
SLDC Mooring Holders (1 credit)		£2.10	£2.30	9.52%		
Non SLDC Mooring Holders (1 credit)		£5.25	£5.80	10.48%		

Total income

£0.00

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Agenda Item 7

By virtue of paragraph(s) 1, 2, 3, 5 of Part 1 of Schedule 12A of the Local Government Act 1972.

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