## Hedges, Kate (Defra)

**From:** bathingwater (WQ)
**Sent:** 14 March 2014 14:40
**To:** [redacted]
**Subject:** RE: Bathing Beach De-designation

Dear [redacted]

The consultation is going to be issued on Monday on gov.uk.

The current Bathing Water Directive (76/160/EEC), which remains in force until 31 December 2014, doesn't allow dedesignation based on water quality.

Under the revised Directive (2006/7/EC), if a bathing water receives 5 consecutive "poor" classifications, the advice against bathing would become permanent and the site would no longer be a bathing water – so sampling would be discontinued. There would have to be a sign to inform the public of this, giving the reasons why. This is a requirement of the Directive and no application from a local authority would be needed.

Kind regards,

Kate

Kate Hedges | Policy Adviser | Bathing and Shellfish Waters | Water Availability and Quality I **Department for Environment, Food and Rural Affairs**
Direct line: 020 7238 5347 | Email: kate.hedges@defra.gsi.gov.uk | Address: 3D/E Nobel House, 17 Smith Square, London SW1P 3JR

**From:** [redacted]
**Sent:** 14 March 2014 12:46
**To:** bathingwater (WQ)
**Subject:** Re: Bathing Beach De-designation

Dear Kate,

Can you confirm that the DEFRA consultation is not up yet for Walpole Bay? I can't seem to see it on www.gov.uk.

Would it also be possible for you to clarify the point in the guidelines about applications for de-designation based on water quality? My understanding was that this cannot be a basis for de-designation, regardless of changes in water quality rules/directives?

Thank you!

Best Wishes,
[redacted]

On Fri, Mar 7, 2014 at 2:59 PM, bathingwater (WQ) <bathingwater@defra.gsi.gov.uk> wrote:

Dear [redacted]

Thank you for your email. There will be an opportunity to comment on the proposal to dedesignate Walpole Bay because we'll hold a public consultation before making a decision. The document will be available on the consultations section of www.gov.uk and the consultation will begin within the next fortnight.

Kind regards,

Kate

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**From:** [redacted]
**Sent:** 06 March 2014 19:53
**To:** bathingwater (WQ)
**Subject:** Re: Bathing Beach De-designation

Dear Kate,

Thank you for this information - apologies for the delayed response.

In this case, the local council have conducted a public consultation, regarding applying to DEFRA for de-listing. They have not published the results, but have applied to DEFRA regardless. One of their reasons for wanting to de-designate is because of the new EU water quality issues, and this beach not having the required 4 years of results.

There was a significant response from local users against the idea of de-designation.

Do the public have the chance to comment once a submission for de-designation is made to DEFRA?

Kind Regards,

[redacted]

On Tuesday, January 28, 2014, bathingwater (WQ) <bathingwater@defra.gsi.gov.uk> wrote:

Dear [redacted]

Thank you for your enquiry about dedesignation of bathing waters.

I have attached a link to our guidance on the evidence that we need to remove a site from the list of bathing waters. The main criterion for a beach or lake to be designated as a bathing water is that it is used by a large number of bathers and this is defined in the Bathing Water Directive as *"..a number that the competent authority considers to be large having regard, in particular, to past trends or to any infrastructure or facilities provided, or other measures taken, to promote bathing."* (Directive 2006/7/EC, Article 2.4). We haven't set a minimum number of bathers because one number would not be suitable for all types of beaches in all areas of the country.

We consider each application for dedesignation individually, although if the beach has significantly lower usage than neighbouring beaches we would take this into account. If facilities have been withdrawn recently we would ask the local authority or beach owner to explain the reason for their removal.

Kind regards,

Kate Hedges

https://www.gov.uk/government/publications/designation-and-de-designation-of-bathing-waters

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**From:** [redacted]
**Sent:** 25 January 2014 15:13

**To:** bathingwater (WQ)
**Subject:** Bathing Beach De-designation

Dear Sir/Madam,

Could you clarify a couple of points regarding de-designation?

I understand the controller (i.e. local authority) has to show that the numbers of bathers using the area has declined or is very low, but in relation to what? What is the threshold and what is it based on?

And does it make a difference if, for example, the beach in question is in an area with a number of other beaches that are more high profile, have more facilities, and are more heavily promoted by the local authority? i.e if bather numbers at one area are lower than in the past, but all facilities have been removed by the controller (public toilets, changing facilities, lifeguards, seating etc) then can this reduction in usage be used to argue for de-designation?

Any additional information would be appreciated.

Kind Regards,

[redacted]

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[redacted]

[redacted]

Department for Environment, Food and Rural Affairs (Defra)

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