Department for Environment, Food and Rural Affairs

Dedesignation of bathing waters

Summary of evidence for dedesignation of Walpole Bay, Kent, as a bathing water

Applicant: Thanet District Council

Date of application: 21 February 2014

Background

The Environment Agency profile of Walpole Bay contains detailed information about the beach and a location map:

http://environment.data.gov.uk/bwq/explorer/info.html?_search=walpo&site=ukj4210-12630

The Bathing Water Directive defines a bathing water as a surface water where a "large number" of people are expected to bathe. A "large number" in relation to bathers is defined 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"* (Art 2.4).

The number of people using a beach or lakeside site for bathing is the main factor in considering whether the site meets the definition of a bathing water. However we also take evidence of facilities to promote and support bathing, such as lifeguarding, toilet facilities, changing facilities and cafes or shops, into account when considering applications for new bathing waters to be designated or for beaches to be removed from the list of bathing waters.

Information about water quality is not taken into account in making a decision.

Evidence for dedesignation

Bather numbers

The Environment Agency carried out an intensive survey of beach users and bathers over 20 days between 29 July – 3 September 2013. The beach was divided into 11 zones and hourly counts were made between:

- 09.00 – 17.00 on five days of the survey;

- 08.00 – 17.00 on nine days
- 08.00 – 16.00 on two days
- 08.00 – 15.00 on one day
- 08.00 – 13.00 on two days
- 08.00 – 18.00 on one day

In total, 184 counts of bathers and beach users were made. The total number of beach users observed was 2963 and the total number of bathers was 633. Taken as an average over 20 days this would give a figure of 148 beach users and 32 bathers per day.

The method of taking hourly surveys may give a figure that is not consistent with the less intensive surveys that have been used in the past in considering other dedesignations, because the frequent counts give a higher number than a survey taken over a very short period of the day.

In order to allow comparability with other sites, we have also assessed the number of bathers counted in each sample. When the total figure is divided by the number of counts made, the figure for beach users is 16 per sample, and 3.5 bathers per sample. This is a low number which supports dedesignation.

The average number of bathers in previous surveys at bathing waters that have subsequently been dedesignated ranges from 0.2 to 1.75 per day. A recent designation of a bathing water had an average of 30 swimmers per survey (taken over 45 minute periods).

Facilities

Facilities at Walpole Bay have been reduced over recent years. In 2009 the beach was awarded a Blue Flag, an award which requires a high level of beach management. Since then lifeguards have been withdrawn and the nearest toilet facilities have been closed. The nearest café is at the adjacent beach, Palm Bay. A lift that formerly operated from the top of the cliffs has been closed.

The beach is, however, close to the amenities of Cliftonville and Margate town centre. The nearest public toilets are now approximately 750m away.

There is a large tidal bathing pool at Walpole Bay and some confusion has arisen following media reports that referred to the beach being “decommissioned”. This appears to have created the impression that the bathing pool is going to be removed, which was reflected in some of the responses to the consultation.

Walpole Bay is also adjacent to Fulsam Rock beach, which will continue to be sampled as a bathing water.

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Thanet District Council consultation

Thanet District Council held a consultation via its website, closing on 16 February, which was publicised on notices at the beach. The consultation document began by stating *"With stricter water regulations set to take effect in 2015, despite meeting current standards, the council would be required to display signage advising visitors not to swim at Walpole Bay. The council is concerned about the impact this could have on Thanet's visitor economy and confidence in general about visiting Thanet's beaches."* Two options were offered:

- Option 1: Retain the status quo and continue to take water sample tests at Walpole Bay.
- Option 2: Apply to Defra to remove water sample tests at Walpole Bay.

The explanation of Option 1 includes the comment that *"The council is concerned that by retaining the status quo, visitors could be unnecessarily alarmed about swimming in the sea and visiting Thanet's beaches…"* We recognise that this is a leading statement focusing on the perceived threat to the local tourist industry, rather than on the number of people bathing at Walpole Bay.

During December 2013 and January 2014 the Council held discussions with two local hotels, a local traders' representative and a Residents Association representative. The business representatives felt that dedesignation was preferable to a sign advising against bathing.

Thanet District Council ward members are in favour of dedesignation.

There were emailed responses to the consultation from 74 individual members of the public.

- 5 supported dedesignation
- 36 opposed dedesignation
- 9 commented specifically on the bathing pool
- The remainder commented on the proposal but were unclear in their intentions.

Several of the responses opposing dedesignation also commented on the tidal pool, which is used by local Scout groups and Sea Scouts for boating activities. There were also 17 letters opposing the "decommissioning" of the bathing pool, which is not being proposed by the Council.

Overall, 23 responses queried the bather numbers and the method used to obtain the figures. The consultation document stated that *"The Environment Agency results identified that at the water sampling point there were 58 visitors to the beach and of those, five swam in the sea."* These figures relate to the section of the beach covering the Environment Agency's sampling point, and not to the beach as a whole.

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Water quality

Although water quality will not be taken into account, this section aims to clarify the issues raised in Thanet Council's consultation.

The revised Bathing Water Directive (2006/7/EC) is being implemented in stages and we are currently in a transitional period as we move towards full implementation in 2015. The new water quality standards, which will come into effect next year, will be much tighter and there will be a new reporting system for the monitoring results. Instead of a single year's results there will be classifications of Excellent, Good, Sufficient and Poor, which will be assessed on a data set of monitoring data collected over four years. This will give a more consistent assessment of water quality than the current reporting system.

The Directive also introduces a new requirement for information about water quality to be available to the public. From 2016 onwards, the "current classification", i.e. the classification made at the end of the preceding year's bathing season, will be displayed at each designated bathing water using symbols that will be used across Europe. An "advice against bathing" notice will also be displayed at bathing waters that are classified as Poor. Any bathing water classified as Poor in five consecutive bathing seasons would no longer be sampled and the advice against bathing would become permanent. This means that the site would effectively be dedesignated.

Walpole Bay was designated as a bathing water in 1997. The annual water quality results since then are shown in the table below.

Key

These results are based on monitoring under the current Bathing Water Directive (76/160/EEC).

UKG - "UK Guideline": Complying with the tightest guideline standards set by the current Directive. Until 2012 this was the standard required for a Blue Flag beach.

ECG – "EC Guideline": Complying with the guideline standard used in the European Commission's annual bathing water report. These two standards were replaced by a single guideline standard in 2012.

M - minimum mandatory standard

F – failing to meet the minimum water quality standard

Results since designation (current Bathing Water Directive)

97	98	99	00	01	02	03	04	05	06	07	08	09	10	11	12	13
M	M	UKG	M	M	M	ECG	ECG	UKG	M	UKG	UKG	ECG	ECG	F	M	M

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If Walpole Bay is removed from the list of designated bathing waters, the Environment Agency would discontinue sampling water quality and there would be no further improvements aimed at meeting the standards set by the Bathing Water Directive.

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