

**Department for Environment, Food and Rural Affairs**

# **Consultation on the proposal to remove Askam in Furness from the list of designated bathing waters**

## **Summary of responses**

**April 2014**

### **Contents**

Background.....	1
Analysis of responses .....	1
Final decision.....	2
The way forward .....	2
Annex A – List of respondents .....	3

## Background

Beaches and inland lakes that attract a large number of bathers are designated as bathing waters under the Bathing Water Directive (76/160/EEC, revised by 2006/7/EC) and water quality is tested during the bathing season, which in England runs from 15 May to 30 September. The objective is to protect bathers' health against faecal pollution.

Barrow Borough Council applied in February 2014 for Askam in Furness to be removed from the list of designated bathing waters on the grounds of concerns about public safety and low usage for bathing. The application did not meet the criteria for a survey of usage for bathing that are set out in Defra's guidance on how to apply for dedesignation, but it was accepted because signage is in place to warn that bathing at the beach is hazardous.

On 24 February 2014 Defra launched an informal consultation by publishing the evidence for dedesignation on its website and emailing it to key stakeholders. The consultation ran until 7 April 2014.

## Analysis of responses

We received responses opposing dedesignation from Askam and Ireleth Parish Council, Marine Conservation Society and four from members of the public. One of the public responses commented specifically on Askam in Furness and one on Roanhead; the others referred to both beaches. The National Farmers Union responded in its capacity as a member of the Turning Tides partnership to confirm that the partnership supports dedesignation. A response from United Utilities, which is also a member of Turning Tides, recommended taking Barrow Borough Council's concerns about safety into account in making a decision.

Specific points raised in the responses were:

- Duddon Inshore Rescue has not commented officially on the proposal and no evidence or statistics are available on safety issues or rescues.
- The survey of usage does not meet the requirements in Defra's guidance and the numbers may have been underestimated.
- Concern was expressed about beach litter and pollution, including possible pollution from Sellafield.

The evidence of bather numbers did not meet the requirements in the guidance on dedesignation but was accepted because the application was made on safety grounds as well as low usage for bathing. The local authority's safety concerns are borne out by the presence of warning signage and it sends a confusing message if this is placed with a sign stating that the beach is a designated bathing water. This has been a reason for previous dedesignations and for declining an application for designation. The Defra guidance sets out the requirements for evidence where applications are based on a local bathing ban.

Several responses commented on beach litter and pollution. The Bathing Water Directive does not have a requirement for litter removal and sets standards only for parameters focused on protecting human health. The area is covered by a number of other measures to protect the environment. The website of the Duddon Estuary Partnership shows that it is: a Special Protection Area (SPA) under the EC Birds Directive (2009/147/EC); a candidate Special Area of Conservation (SAC) under the EC Habitats Directive 92/43/EEC); a Site of Special Scientific Interest (SSSI) under the Wildlife and Countryside Act 1981, and a Ramsar site (a wetland of international importance under the Ramsar convention). Askam and Ireleth Parish Council's response recommended that sea water quality should be tested to protect fishing and the mussel beds, and this concern is addressed by the inclusion of the lower part of the Duddon estuary in the Morecambe Barrow Shellfish Protected Area, which gives protection under the Water Framework Directive (2000/60/EC).

## **Final decision**

The warning signage at the beach, together with the absence of facilities and of any references to Askam in Furness as a bathing beach, confirms that the local authority does not promote it for bathing. Dedesignation would support the council's work to discourage the public from bathing at the beach. Askam in Furness will be removed from the list of bathing waters with effect from the 2014 bathing season on the grounds of concerns about public safety and low usage for bathing.

## **The way forward**

The European Commission will be notified of the decision when the annual bathing water inventory is submitted before the beginning of the bathing season.

# Annex A – List of respondents

- Askam and Ireleth Parish Council
- Marine Conservation Society
- National Farmers Union
- United Utilities
- Four responses from members of the public



© Crown copyright 2014

You may re-use this information (excluding logos) free of charge in any format or medium, under the terms of the Open Government Licence v.2. To view this licence visit [www.nationalarchives.gov.uk/doc/open-government-licence/version/2/](http://www.nationalarchives.gov.uk/doc/open-government-licence/version/2/) or email [PSI@nationalarchives.gsi.gov.uk](mailto:PSI@nationalarchives.gsi.gov.uk)

This publication is available at [www.gov.uk/government/publications](http://www.gov.uk/government/publications)

Any enquiries regarding this publication should be sent to us at:

[bathingwater@defra.gsi.gov.uk](mailto:bathingwater@defra.gsi.gov.uk)

or by post to:

Bathing Water Team  
Area 3D Nobel House  
17 Smith Square  
London  
SW1P 3JR