



Department  
for Environment  
Food & Rural Affairs

# Proposal to remove Allonby South from the list of designated bathing waters

January 2019



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Any enquiries regarding this publication should be sent to us at

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

Bathing Water Team  
Department for Environment, Food and Rural Affairs  
3<sup>rd</sup> Floor Seacole Block NW  
2 Marsham Street  
London  
SW1P 4DF

[www.gov.uk/defra](http://www.gov.uk/defra)

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## Background

The Bathing Water Regulations 2013 (S.I. 2013/1675) (“the Regulations”) protect public health against faecal pollution at designated bathing waters by setting limits for the level of intestinal enterococci and *E.coli* in the water. Beaches and inland waters are designated as bathing waters if they are used by large numbers of bathers. The provision of facilities to support and promote bathing is also taken into account: for example, lifeguarding, first aid, public toilets, car parking, shops, cafes or kiosks. There is no requirement for facilities to be available, but their presence is supporting evidence that the site is an established bathing area.

Defra has opted not to set a minimum number of bathers to define a “large number”. There is a wide variety of beaches and inland bathing sites in England, from busy resorts to small bays in rural areas, which attract a number of users proportionate to their size and location. Setting a minimum number could risk excluding small beaches or inland waters that are popular and have facilities for bathing, but are not used by as many people as a beach in a large resort.

A site can be removed from the list of bathing waters if there is evidence that usage for bathing is very low. If this happens, there would be no further work towards complying with the water quality standards set by the Regulations and no public information on bathing water quality would be available. Bathing water standards are focused on human health and de-designation does not affect fisheries or wildlife. There are measures in place to protect water quality and the aquatic environment more generally: for example, the Urban Waste Water Treatment (England and Wales) Regulations 1994 (S.I. 1994/2841); the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017 (S.I. 2017/407) and the Marine Strategy Regulations 2010 (S.I. 2010/1627).

## Allonby South

Allerdale Borough Council has applied for Allonby South to be removed from the list of designated bathing waters on the grounds of low usage for bathing. The Council carried out a survey of beach usage during 2017 when no one was seen bathing or paddling and there is supporting evidence over several years that the beach is seldom used for bathing.

The Environment Agency’s (EA) bathing water profile of Allonby South includes a location map and detailed information about the catchment:

[http://environment.data.gov.uk/bwq/profiles/profile.html?\\_search=allonby%20s&site=ukd1101-46000](http://environment.data.gov.uk/bwq/profiles/profile.html?_search=allonby%20s&site=ukd1101-46000)

Allonby South is situated in Allonby Bay, which is adjacent to the Shellfish Protected Area at Sillioth. The measures that are being taken to protect water quality at the shellfish beds are required under the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017 and would not be affected by the de-designation of the bathing

water. Details of the work being carried out to improve water quality in the Protected Area, which is to the north of Allonby Bay, can be found in the river basin management plan for the North West river basin district: <https://www.gov.uk/government/publications/north-west-river-basin-district-river-basin-management-plan>

Additionally, Allonby Bay became a Marine Conservation Zone in 2016. This means that specific features within the area are protected and, where necessary, regulators will manage marine activities. Detailed information is available here:

<https://www.gov.uk/government/publications/marine-conservation-zones-allonby-bay>

## Survey of bather numbers 2014

During the summer of 2014, Allonby South was included in a survey that the EA carried out on behalf of Defra to investigate usage at a number of bathing waters that were anecdotally reported to be used by very few bathers. The methodology was for counts of bathers, water sports participants and other beach users to be taken over 30 days, between 12 noon and 4pm or whenever local conditions, such as the tide, permitted. Twenty of the survey days were to be at weekends or during the school holidays. Any known local usage patterns, such as early morning or evening swimming, were taken into account.

The survey at Allonby South took place over 29 days between 17 May and 13 September 2014. This was a variation from the methodology because two counts were taken on the same day, 26 July; however, all but three of the survey days were at weekends or during school holidays, which exceeded the requirements. A total of seven people were observed in the water during the survey; one bather, four people paddling and two water sport participants. Despite the low numbers, it was decided not to proceed with de-designation at this time.

## Survey of bather numbers 2017

Allerdale Borough Council carried out a survey of beach usage at Allonby South during the 2017 bathing season. The survey times were based on local knowledge and usage patterns for this area of the beach and can be seen in the table below. A total of 42 people were counted on the beach but nobody was seen swimming or paddling. For most of the survey period, walkers and dog walkers were recorded during the early part of the day.

Table 1 shows the outcome of the survey.

Table 1 – Survey of bather numbers 2017

Date (2017)	Time	Bathers	Paddlers	Water sports	People on beach
Wed 17 May	14:30	0	0	0	0
Thur 18 May	15:58	0	0	0	0
Thur 25 May	12:25	0	0	0	0
Fri 26 May	12:55	0	0	0	0
Mon 29 May	12:45	0	0	0	0
Wed 31 May	12:55	0	0	0	0
Thur 1 June	15:50	0	0	0	0
Sat 10 June	11:40	0	0	0	0
Wed 14 June	12:55	0	0	0	0
Thurs 15 June	14:50	0	0	0	0
Sun 18 June	14:55	0	0	0	8
Sun 25 June	12:00	0	0	0	0
Thur 29 June	14:45	0	0	0	4
Mon 10 July	11:40	0	0	0	0
Wed 12 July	12:45	0	0	0	0
Thur 13 July	12:45	0	0	0	0
Sun 23 July	11:10	0	0	0	0
Wed 26 July	13:25	0	0	0	8
Thur 27 July	12:30	0	0	0	0
Mon 31 July	16:10	0	0	0	0
Tues 8 Aug	12:10	0	0	0	0
Sat 12 Aug	14:30	0	0	0	0
Wed 16 Aug	13:07	0	0	0	0
Wed 23 Aug	14:10	0	0	0	0
Thur 24 Aug	12:20	0	0	0	18
Fri 25 Aug	12:20	0	0	0	4
Mon 28 Aug	13:50	0	0	0	0
Wed 30 Aug	13:40	0	0	0	0
Thur 31 Aug	12:52	0	0	0	0
Wed 13 Sept	16:14	0	0	0	0
Totals		0	0	0	42

# Environment Agency counts of bathers

EA samplers take a head count of bathers during their sampling visits to bathing waters. The EA has provided figures for the number of bathers seen during 185 sampling visits (compliance and investigative) over the last eight bathing seasons between 2011 and 2018. A total of 11 bathers were observed during this time, who were counted over three visits in 2012, 2013 and 2015 respectively.

## Local consultation

Allerdale Borough Council held a consultation on its website between 10 August - 22 September 2017. Parish Councils, individual ward councillors and the Solway Coast Area of Outstanding Natural Beauty (AONB) were consulted separately and an announcement was placed in the local press to publicise the consultation.

Three responses were received which did not support the proposal but they related to Allonby, a bathing water three kilometres away which is not being considered for de-designation.

## Facilities

Allonby South is in a rural area with no facilities to support bathing. The car park and public toilets were damaged during flooding in 2009 and Allerdale Borough Council has confirmed that there are no plans at present to reinstate these facilities.

## Water quality

Bathing water quality was classified as Poor in 2018. This follows classifications of Sufficient in 2015, 2016 and 2017.

## Responding to this consultation

We would welcome your views on the proposal to remove Allonby South from the list of designated bathing waters. Please respond by **28 February 2019** in one of these ways:

- via Citizenspace (preferred): <https://consult.defra.gov.uk/water/bathing-water-removing-allonby-south/>
- by email to [bathingwater@defra.gov.uk](mailto:bathingwater@defra.gov.uk); or
- by post to

Bathing Water Team  
Department for Environment, Food and Rural Affairs  
3<sup>rd</sup> Floor Seacole Block NW  
2 Marsham Street

London SW1P 4DF

In your response please state:

- your view on the proposal
- your reasons or evidence to support your view

## **Annex A - list of consultees**

British Destinations

British Long Distance Swimming Association

Consumer Council for Water

Country Land and Business Association

Department for Digital, Culture, Media and Sport

Keep Britain Tidy

Marine Conservation Society

National Farmers Union

Outdoor Swimming Society

River and Lake Swimming Association

Surfers Against Sewage

UK Beach Management Forum

United Utilities

Visit England

Water UK