

Department for Environment, Food and Rural Affairs

Consultation on the proposal to remove Staithes from the list of designated bathing waters

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Background

The Bathing Water Directive (2006/7/EEC) is designed to protect public health against faecal pollution at popular swimming areas 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 safety of the location and the presence of infrastructure to support and promote bathing are also taken into account. Once designated, bathing waters are monitored for compliance with the Directive's standards during the bathing season, which in England runs from 15 May to 30 September. During 2015 the Environment Agency is monitoring water quality at 415 bathing waters.

We have opted not to set a minimum number of bathers to define a "large number". There is a wide variety of beaches in England, ranging from busy resorts to small bays in rural areas, and many of them attract a number of bathers proportionate to their size and location. Setting a minimum number means we could risk excluding small beaches or inland sites that have facilities for bathing but are not used by as many people as a beach in a large resort.

The Bathing Water Directive's standards focus on human health, and de-designation would not have an impact on fisheries or wildlife. Water quality more generally is protected by a number of other measures, including the Water Framework Directive (2000/60/EC), Marine Strategy Framework Directive (2008/56/EC) and Urban Waste Water Treatment Directive (91/271/EEC).

Proposal to de-designate Staithes

Detailed information about Staithes and its catchment is available in the Environment Agency profile:

http://environment.data.gov.uk/bwq/explorer/info.html?_search=Staithes&site=uke2206-06800

We have received an application from Scarborough Borough Council for Staithes to be removed from the list of bathing waters designated under the Bathing Water Directive on the basis of low usage for bathing and lack of facilities to support bathing.

If Staithes is de-designated as a bathing water, water quality at the beach would no longer be monitored. There would be no requirement for information about water quality to be displayed and no further investment specifically to meet bathing water standards. Staithes would have the same status as any other beach that is not designated as a bathing water: it would not be closed and bathing would not be banned.

Scarborough Council gathered evidence to support the application over a two year period. The survey of beach usage was undertaken during the summer of 2013 and consultations

with stakeholders and with the public took place during 2014. We are content to accept the 2013 survey data because we acknowledge that applying for designation or de-designation of a bathing water can be a lengthy process. We have noted that one day of the survey (5 October 2013) fell outside the bathing season. Usage on that date exceeded some of the other days.

User numbers

An independent market research company was commissioned to carry out a beach usage survey over 20 days between 21 August - 5 October 2013. Bathers and other beach users were counted between 11am and 3pm. The survey days covered:

- 10 days during the school summer holidays;
- 10 days at weekends;
- August bank holiday (25 August);
- Staithes Festival of Arts and Heritage (14/15 September).

The weather during the survey period was warm, with more sunshine hours than average.

The methodology for the survey was:

- Initial count of those on the beach at the start time;
- Entry point rolling/cumulative count of users coming onto the beach;
- Monitoring of movements around and across the beach to other areas using a grid method;
- Observation of main activities and changing activities;
- Minimisation of double counting of re-users during the counting day;
- Rolling count of dogs;
- Photograph taken at 11am, 1pm and 3pm;
- Consistent counters – only two used during the sample period;
- Ad-hoc conversations with users and local businesses;
- Anecdotal observations in addition to the counting.

Table 1 gives a summary of beach users' activities during the survey. There was a high number of beach users, over half of whom were walking across the beach to gain access to the harbour walls and rock pools. Only 35 people in total were seen swimming in the water, over five days during the school holidays: 22, 27, 29 and 31 August and 1 September.

During the survey, the beach proved to be popular for dog walking. A total of 631 dogs were counted over 17 days of the survey, an average of 37 per day. It was estimated that one in every eight beach users was accompanied by a dog.

Table 2 shows the dates of the survey and the proportion of beach users, paddlers and swimmers. Compared with the high level of beach usage, the proportion of people paddling and swimming was low (6.2%).

The main findings were:

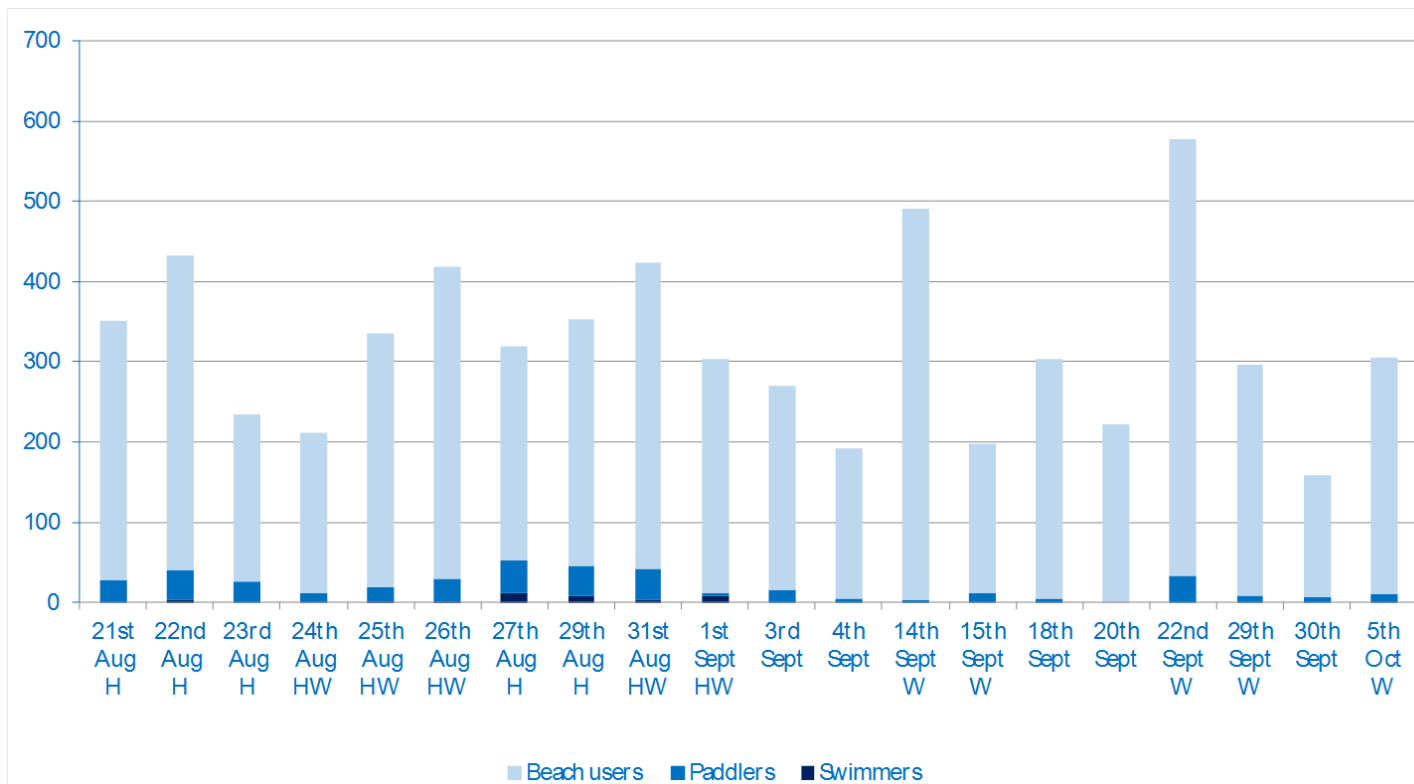
- On average, there were fewer than two people per day swimming in the water.
- The average number of people paddling in the water was 18 per day;
- There was an average of 320 beach users (including bathers and paddlers) per day;
- Lowest usage was 152 users (Monday 30 September);
- Highest usage was 568 users (Sunday 22 September);

Table 1- summary of beach users' activities

Type of user	Number	Percentage
Swimming	35*	0.5
Paddling	362*	5.5
Walking across beach to other areas - harbour walls/rock pools	3891	61
Activities on the beach (walking, dog walking, playing in sand, etc)	2104	33
Total	6392	100

*Five surfers were included with the total of swimmers and two with the paddlers.

Table 2 – dates of survey and proportion of beach users, paddlers and swimmers



Facilities

The beach is located inside the harbour. It is not promoted as a bathing beach and does not have lifeguards, first aid facilities, or any showers or changing facilities. A small car park behind the beach is available only to permit holders, who must be permanent residents. There are public toilets close to the beach.

Staithes is promoted for its picturesque surroundings and cultural attractions. It has an art gallery and Captain Cook museum, an annual arts festival and a range of cafes and restaurants. Visitor numbers are thought to have been boosted by publicity from the children's programme "Old Jack's Boat".

Local consultation

Scarborough Council held a public consultation on its website from 28 July - 20 October 2014. The consultation was reopened between 28 - 31 October 2014. Hard copies of the questionnaire, with a covering letter giving background information, were circulated to 674 properties in the area to invite participation, either online or by post. The main findings are summarised below:

- 227 responses were received:
 - 64% from permanent residents, second home owners and local businesses;
 - 36% from visitors;
- 2.5% of the respondents used the beach for swimming and 5.1% for paddling;
- 73% wished Staithes to remain a designated bathing water.
- 67% did not wish Scarborough Council to apply for de-designation:
 - 90% of visitors;
 - 55% of residents;
 - 45.5% of second home owners.

The Council also held a stakeholder consultation between 7- 27 October 2014. Key stakeholders were contacted by email to invite participation by completion of the online questionnaire on the Council's website. Four responses were received. Two were in favour of Staithes continuing to be a designated bathing water, and two were against. However, only one of the four agreed that Scarborough Council should apply for Staithes to be removed from the list of bathing waters.

Although the outcome was against applying for de-designation, Scarborough Council has taken the very low number of bathers into consideration in deciding to proceed with the application.

Water quality

This section aims to clarify the issues raised in Scarborough Council's consultation about bathing water quality at Staithes.

We do not accept applications to de-designate bathing waters that are based solely on water quality. We will de-designate only where there is evidence of low usage for bathing. Any application must be supported by a survey of bather numbers and information about the facilities available at the site.

The 2006 Bathing Water Directive (2006/7/EC), which is now in force, has revised and updated the 1976 Directive (76/160/EEC) by introducing tighter water quality standards and a new method of reporting monitoring results. The annual results based on a single year's monitoring data will be replaced this year by classifications of Excellent, Good, Sufficient or Poor. The classifications will be based on a data set collected over the preceding four years and an "advice against bathing" symbol will also be displayed at bathing waters that are classified as Poor.

Since 2004 the Environment Agency has made annual assessments of what the classifications would have been if the new standards were already in force. Staithes has consistently been assessed as having Poor water quality.

The annual results under the 1976 Directive for the same period are shown here:

2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
F	F	F	F	F	M	F	M	F	M	F

Key

M - minimum mandatory standard

F - failing to meet the minimum water quality standard

Since 1988 water quality at Staithes has complied with the minimum standard in only seven bathing seasons.

Responding to this consultation

We would welcome your views on the proposal to remove Staithes from the list of designated bathing waters. Please respond by 30 September 2015 to bathingwater@defra.gsi.gov.uk or to:

Bathing Water Team
Department for Environment, Food and Rural Affairs
Area 3D Nobel House
17 Smith Square
London
SW1P 3JR

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 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
Visit England
Water UK
Yorkshire Water



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

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