

RIBBLE VALLEY BOROUGH COUNCIL REPORT TO COMMUNITY SERVICES COMMITTEE

meeting date: 20 OCTOBER 2022
title: EDISFORD RIVERBANK, BATHING WATER DESIGNATION
submitted by: JOHN HEAP, DIRECTOR OF COMMUNITY SERVICES
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1 PURPOSE

1.1 To seek Committee's view on the proposed application to the designation of Edisford Riverbank as designated bathing waters.

1.2 Relevance to the Council's ambitions and priorities

- Council Ambitions - To be a well-managed council providing efficient services. To help make people's lives safer and healthier based on identified customer needs.
- Community Objectives - To improve the health and wellbeing of people living and working in our area.
- To improve the opportunity for people to participate in recreational and sporting activity.
- To ensure that Ribble Valley remains a safe place to live. To combat rural isolation.

2 BACKGROUND

2.1 The River Ribble Trust (RRT) has informed the Council that it intends to apply to DEFRA for the waters of the River Ribble in the area shown marked in red on the plan enclosed at Appendix 1 to be designated as bathing waters. The Council has been consulted as both the landowner of the riverbank and the Local Authority.

2.2 An application can be made for the designation of coastal or inland water that attracts large numbers of bathers in relation to any infrastructure or facilities that are provided, or other measures that are taken, to promote bathing at the site. It is usual for a Local Authority to apply but, as in this case, anyone can apply for the designation. Applications must have the support of a local authority and if the land is privately owned the landowner must also support the application. From the information provided by RRT to date, the area proposed to be designated would fall within Council ownership. If, however, on greater detail being provided, it became apparent that it includes areas within other ownership then RRT would also need to obtain consent from all other landowners.

2.3 RRT is in the initial stages of gathering the evidence needed for designation. As set out above the application must state if it has local authority and landowner support and must include:

- User surveys
- Information about any facilities at the site
- Evidence of a consultation

2.4 For consideration for the following year's bathing season, applications must be submitted by 31 October in any year. Once the application is submitted DEFRA will inform the applicant if the site meets the criteria for designation and will then hold a wide-ranging public consultation before notifying all parties of its decision.

2.5 If the waters are designated the Environment Agency will develop a bathing water profile and put plans in place to monitor and protect the bathing water. A designation has implications and places statutory responsibilities upon local authorities which are set out below.

3 ISSUES

3.1 The principle of improving water quality has many benefits not only to the users of the river at Edisford, but it would also help to contribute to the Council's overall tourism objectives as well as being a tool to ensure businesses reduce their impact on the environment.

3.2 A designation of bathing waters is made pursuant to the Bathing Water Regulations 2013. Those regulations place responsibilities upon the environment agency and the local authority during the bathing season (15 May to 30 September). The Environment Agency has responsibility for producing and maintaining a water profile and for establishing a monitoring programme for the bathing water. This includes:

- an appropriate monitoring programme for Intestinal enterococci and Escherichia Coli and Cyanobacteria.
- investigations for macro-algae and marine phytoplankton.
- visual inspections for waste, including tarry residues, glass, plastic, or rubber.

3.3 The Local Authority's responsibilities essentially relate to the dissemination of information relating to the quality of the waters but in the case of pollution by waste include removal of that waste. In particular:

Regulation 9 provides that the local authority must ensure that the following information about the bathing water is actively disseminated and promptly made available to the public during the bathing season in an easily accessible place in the near vicinity of the bathing water:

- the bathing water's current classification represented by a symbol.
- any advice against bathing which has been issued there, represented by a symbol, and giving reasons.
- a general description of the bathing water, in non-technical language, based on the water profile.
- information on the nature and expected duration of abnormal situations there; and
- an indication of the sources of more complete information published under the regulations.

Regulation 12 sets out the management measures at the bathing waters should a pollution incident occurs. Should the local authority become aware of an incident it must:

- consult the appropriate agency so far as necessary.
- notify the local sewerage undertaker if necessary.
- **ensure that appropriate information is actively disseminated and promptly made available to the public during the bathing season in an easily accessible place in the near vicinity of a bathing water, and take such other local authority management measures as it considers appropriate, to prevent exposing bathers to identified or presumed health risks;**
- **in the case of the pollution by waste, remove the waste.**

If the waters were to be designated as bathing waters, then the Council would need to ensure that it had sufficient officer resource in place to ensure it met its responsibilities under the regulations set out above, which would inevitably have some impact on resources.

4 RISK ASSESSMENT

4.1 The approval of this report may have the following implications:

- Resources – The Council would if the application were successful put in place arrangements for appropriate signage indicating water quality status. This would need to be done daily according to water samples taken by DEFRA or the Environment Agency. Whilst that could be accommodated within the work pattern of the amenity cleansing staff who work every day. Pollution issues would be an environmental health issue, potentially involving calling staff out and that is not currently resourced. The full implications of that cannot be costed as it is an ad hoc occurrence. In practice it would mean contacting the Council's out of hours number and the E.H. staff would need to be contacted from there.
- Technical, Environmental and Legal – The Legal department has been consulted on this matter and their comments are incorporated into this report.
- Political - None.
- Reputation – The Council is a key stakeholder for this proposed application and to ignore the opportunity presented would be damaging, both in tourism and amenity terms, but also from an environmental perspective. Given the whole ethos of the scheme is the improvement of the river catchment and the many benefits that would bring, both at Edisford and elsewhere.

5 **RECOMMENDED THAT COMMITTEE**

5.1 Approve the Council's support for the application proposed by RRT.

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