

This Report will be made public on 5 November 2024

Report Number **C/24/42**

To: Cabinet
Date: 13 November 2024
Status: Non-Key
Responsible Officer: Andrew Rush, Chief Officer Regulatory & Community Services
Andy Blaszkowicz, Director – Housing & Operations
Cabinet Member: Cllr Stephen Scoffham, Cabinet Member for Climate, Environment and Biodiversity

SUBJECT: BATHING WATER BEACH SIGNAGE

SUMMARY: The report considers the motion agreed by Full Council (Item 46) on 26/9/23, that looked at how the public were informed of the latest bathing water classifications and storm overflow releases. The motion also asked that the practicalities of installing digital signage were reviewed along with the availability of external funding.

REASONS FOR RECOMMENDATIONS:

The installation of digital signage is not recommended as the information available is generally time delayed, historic or requiring verification. The cost of digital signage is prohibitive in the absence of external funding. The Council conforms to its statutory obligations regarding bathing water by displaying the most up to date bathing water classifications on all designated beach signage which also include QR codes taking the user directly to that location on Southern Water's Beachbuoy application.

RECOMMENDATIONS:

1. To receive and note report C/24/42.
2. To note the current systems that the council currently has in place to notify users of bathing water quality across the district.
3. To not proceed with the installation of digital signage for the reasons explained in the report.
4. To review in advance of the bathing water season 2025 how communication to the public about bathing water quality classifications could be enhanced, using social media, the website and early installation of signage.

1. BACKGROUND

1.1. The Environment Agency (EA) routinely conducts tests on bathing water quality along the national coastline. Tests carried out in the 'bathing water season' (15 May to 30 September) are used to determine the bathing water classification for a designated bathing water beach. Please note that not all the district's beaches are designated bathing waters and are therefore unclassified.

1.2. Individual test samples for each designated beach are published by the EA throughout the bathing water season. This information is available on the DEFRA/EA 'Swimfo' website, which provides a description of the beach, any special factors, the location of testing points and the current bathing water classification.

<https://environment.data.gov.uk/bwq/profiles/>

1.3. The EA in determining the classification assess the data on a rolling four year basis (recently five years due to a testing break during Covid). The advantage of this is that a single year's poor results do not solely determine the rating for the following year. The disadvantage is that if results are poor over many years, the classification may remain lower than the current test results would indicate.

1.4. The EA has designated the following beaches as bathing waters and classified -

- Folkestone Sufficient
- Sandgate Excellent
- Hythe Excellent
- Dymchurch Sufficient
- St Mary's Bay Poor (advice against bathing) since 2022
- Littlestone Poor (advice against bathing) since 2023

1.5. The following motion was considered by the Council (Item 46) on 26/9/23:

Council notes:

The dumping of sewage into the sea continues to be a matter of grave concern. Unless you have checked in advance on the internet, there is no public information at the main beaches in our District telling people whether the sea is safe to swim in on a given day.

Annual information regarding the quality of bathing water is provided by the environment agency and available on the council's website.

Information about the bathing water must be 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. As required by law.

Council believes:

That all the main coastal bathing areas across the district should have prominent signage displaying:

- *The current status of the seawater, and pollution incidents; and*
- *The bathing water quality in general.*

1.6. The Council resolved:

That Option (b) (refer the issue to the Cabinet or relevant Overview and Scrutiny Committee, as the case may be, for their observations, before deciding whether to make a decision on the issue) be applied to the business shown below:

To make it known to full council what, if any, system is currently in place across the district to provide information about bathing water – including pollution incidents, both on the council’s digital platforms and in an easily accessible place in the near vicinity of the bathing water.

If no system is currently in place, then to refer to cabinet to approve a system which delivers these outcomes.

This system should consider but not be limited to: Digital displays in the vicinity of bathing sites which access real time data from Southern Water’s Beachbuoy software. A system of flags which is clearly identifiable.

Before implementing this proposal, funding would need to be agreed and secured for this initiative.

To refer this to cabinet to determine a report looking at options to deliver this outcome. Either through:

- *Solely council funded.*
- *In partnership with Southern Water, the Environment Agency or a collaboration of all parties.*

1.7. As requested by the council motion, the report covers the following: -

- The council's duties to provide information about bathing water quality and pollution incidents and how this is done.
- The benefits of digital signage linked to the data provided by the EA and Southern Water’s Beach Buoy system.
- The funding available for electronic signage.
- A summary of how the council engages with Southern Water and the Environment Agency on bathing water quality.

2. INFORMING THE PUBLIC

2.1. The council’s duties with regards to bathing waters are set out in the Bathing Water Regulations 2013. In the regulations, the Environment Agency identify and designate beaches as bathing waters. The EA monitor and test the water quality of these designated bathing beaches during the bathing water season

which is defined (in reg 4) between 15 May and 30 September each year. The water tests are for concentrations for Escherichia coli (E. coli) and Intestinal Enterococci. It is again important to note that only designated bathing water beaches are tested not all the district's beaches.

- 2.2. The council in the regulations has a duty to inform the public of bathing water quality and short-term pollution incidents.
- 2.3. In respect of bathing water quality, the council should '*in an easily accessible place in the near vicinity of the bathing water*' put up notices that advise of the current classification of bathing waters and inform the public of any advice against bathing (Reg. 9). For that purpose, the EA on the website have a downloadable PDF standard notice that covers all information required in the regulations, which we use. The council is required to update notices for the start of the bathing water season on 15 May each year.
- 2.4. The updated notices are usually affixed to existing notice boards in the vicinity of the designated beaches in advance of the season. The council also provides information on its website –

<https://www.folkestone-hythe.gov.uk/parks-beaches-open-spaces/our-beaches>
- 2.5. The council is also required to inform the public of short-term pollution incidents (Reg. 14). The designation of short-term pollution incidents is made by the Environment Agency. It is worth noting that releases from storm overflows are rarely designated as pollution incidents. The EA will inform the council of a 'short-term' pollution incident, and the council should then 'actively' disseminate information about the incident in vicinity of any affected bathing waters. This could involve additional signage being put up, information on website, social media and letter drops.
- 2.6. The council additionally has duty to implement 'management measures' to respond to the short-term pollution (Reg. 15). This could involve temporary closure of the beach. These procedures are covered in the council's Emergency Plan.

3. DIGITAL SIGNAGE

- 3.1. The motion asks that consideration is given to the installation of digital signage and/or system of clearly identifiable flags to warn the public of risks to water quality and pollution incidents. The motion asks that this is considered in the context of information provided by the EA and the information made available by Southern Water on their 'Beach Buoy' website.

Environment Agency Data

- 3.2. The following points consider the advantages and disadvantages of linking digital signage to the sampling/testing data provided by the EA.

- The bathing water quality classification for each designated beach is a historic assessment based on four-years data. There is no in-season or rolling assessment of water quality based on the current season's results. The bathing water rating does not change during the bathing water season. Not all district's beaches are designated as bathing waters.
 - The EA takes water samples throughout the bathing season. The sampling is sent for laboratory analysis, before being uploaded to the EA website. There is a time lag between sampling, testing and the test data being uploaded therefore cannot be considered 'live' information.
 - In relation to short-term pollution incidents, digital signage could help inform the public assuming the incident affected a designated beach. In practice, any existing signage would probably need to be supplemented by additional warning signage as well as other restrictions e.g. taping of the walkways and closing nearby seafront car parks. A system of flags would rely on having the staff available to change them and a common understanding of what each flag(s) means. Flags could help to communicate visually over a wide area, but we would still need other signage and restrictions depending on the type of incident.
- 3.3. In relation to the test data provided by the EA, digital signage would not bring any significant advantages. The water testing data is not live, and the overall water quality classification is only updated annually. The presence of digital signage could be helpful in the event of a pollution incident but not essential.

Beachbuoy Data

- 3.4. The council motion also discusses linking the digital signage to the data provided by Southern Water's 'Beachbuoy' web app. 'Beachbuoy' is linked from the main Southern Water website and is described as providing 'near real time' information about storm overflow releases from Southern Water facilities. Our main beach information signs already include a QR code that takes the user directly to the Beachbuoy application to give information for that location.
- <https://www.southernwater.co.uk/our-region/clean-rivers-and-seas-task-force/beachbuoy/>
- 3.5. Ofwat describes storm overflows as being '*designed to act as relief valves when the sewerage system is at risk of being overwhelmed*'. Situations when the sewerage system is at risk of being overwhelmed include heavy rain pours, and emergency releases due equipment failure or blocked sewers. The excess wastewater is released through the storm overflow into rivers or seas. In coastal areas the length of the storm overflow pipe can vary between pumping stations, meaning that some releases take place near the beach whilst others are further out at sea (e.g. Hythe Range Road).
- 3.6. As previously discussed, storm overflow releases are generally not designated by the EA as short-term pollution incidents. Southern Water state that there is little correlation between individual storm overflow releases and incidence of high-test results.

- 3.7. The following points consider the advantages and disadvantages of linking digital signage to displaying the sampling/testing data provided by Southern Water's Beachbuoy application.
- Beachbuoy provides live information about storm overflow releases but is not always able to verify if the release is genuine (i.e. triggered by a false alarm). It can sometimes take several days to confirm a release took place. A live link displaying the Beachbuoy data would mean notification of releases later determined as 'non-genuine'.
 - Southern Water use tidal modelling to assess whether the release has had a detrimental impact on bathing water. Factors taken into consideration include tidal conditions, the outfall location and duration. The impact assessment however is only predictive and not linked to actual water testing data. Southern Water state clearly that the data cannot be used '*advise about water quality and whether it's safe to swim. We can only make predictions about water quality impact caused by storm overflow releases... there are many other contributing factors (that impact on water quality) including agricultural run-off, seabird and animal matter and marine activity.*'
 - Southern Water are planning to shortly replace Beachbuoy with a new system 'River and Sea Watch'. It has not been possible to review how this system will represent the data.
- 3.8. The digital signage linked to the Beachbuoy system would warn swimmers of storm overflow releases at that immediate location. There would need to information related to recent releases as well as ongoing events. The release warning could however be a false alarm, and the data cannot be used to confirm whether it was safe to swim.

Availability of External Funding

- 3.9. The motion acknowledged that council budgets are limited and that if digital signage was installed it would need to be externally funded in partnership with the EA and Southern Water.
- 3.10. The coastal foreshore is a challenging weather environment for digital signs, which with the added risk of vandalism would mean that any signage installed would need to be robust and backed with an ongoing maintenance/servicing agreement. Although there are only six designated beaches due to their length and multiple entry points, we would need a minimum of two signs per beach possibly more. With a high-level estimate of £8,000 per sign including installation the cost of project would be approximately £96,000.
- 3.11. As requested by the motion, Southern Water and the EA were both contacted to ask if funding for digital signs was available.
- 3.12. Southern Water responded that they are looking into the practicalities of digital signage but could not make commitments at this time. They

highlighted, the different reporting criteria for Beachbuoy reported incidents and the EA's pollution risk forecasts and that this could be confusing for the public.

- 3.13. The EA responded that there was no current DEFRA funding available. They also highlighted the different criteria used when assessing pollution incidents.
- 3.14. After consideration of the points made previously, the recommendation is not to install digital signage at the designated bathing water beaches for the reasons summarised below: -
 - The data provided by EA and Southern Water cannot be used as a 'live' assessment of the water quality. This is simply because the data provided is generally historic or requiring additional verification.
 - The EA and Southern Water when presenting the testing and storm overflow data on their websites provide background context to the data and what it shows. Without this additional detail there is a risk that the information shown on the digital signage could be oversimplified, inaccurate or misunderstood.
 - The Council already displays the current bathing water classifications on its beach signage and includes a QR code taking the user directly to the Beachbuoy application for that location.
 - External funding is not available.
- 3.15. Recognising the public concern about bathing water quality that informed the original council motion. It is recommended that the council reviews for the next bathing water season, how best to use its social media channels, website links and use of signage to communicate the classifications for individual beaches.

4. NEXT STEPS

- 4.1. The aim is to return all the district's designated bathing water beaches to classification 'sufficient' or greater. The council, however, can only influence other parties to achieve that objective. The water industry is regulated nationally by the Environment Agency and OFWAT. As previously described the council has a duty to inform the public of the current beach water classifications during the bathing season. The council however is not an industry regulator and has no direct investigative or enforcement powers it can exercise.
- 4.2. The council considers its role as follows: -
 - Operationally, to engage constructively with the EA and Southern Water and push for more resourcing for investigation (i.e. testing) and remedial action in relation to the 'poor' and 'sufficient' classified beaches.

- Strategically, to advocate for greater investment in the district's water infrastructure.

4.3. Actions taken include: -

- Improving our understanding of the local water infrastructure, the facilities operating in the district and their possible impacts.
- Regular engagement with partners. This has included attendance by the Leader of the Council at a regional level group of local authorities, a quarterly update meeting with St Mary's Bay ward members with the EA and Southern Water and a monthly Bathing Water Steering Group attended by the Environmental Protection Team, Southern Water and the EA to review the latest testing data.
- Scrutiny reviews looking at bathing water quality and the role of key partners. The most recent review by Overview & Scrutiny Committee completed 24 September 2024.
- A push by the council for increased testing and more secondary testing for species DNA.
- Monitoring and support of improvement actions.

4.4. The following are general observations of progress by Southern Water and EA to date.

- Notwithstanding, the 'poor' bathing water classified beaches of St Mary's Bay and Littlestone bordering each other, the test evidence so far points to factors individual to each location rather than an overall cause.
- At Littlestone, the initial focus has been on connecting to mains cesspits bordering the beach.
- At St Mary's Bay, investigations have centred the on sources of contamination into the New Sewer waterway.
- Southern Water do not believe that the use of storm overflows locally (e.g. Hythe Range Road) have impacted on bathing water quality. They point to the lack of correlation between releases and poor test results.
- This season's testing results so far (2/10/24) indicate an improvement to St Mary's Bay. Littlestone started the bathing season well but testing in August, showed increased levels of EC and IC. There is a high risk that Dymchurch Beach could be re-classified as 'poor' at the next assessment based on the test results from the beginning of July onwards. There are also concerns about a spike in test results for Folkestone (Sunny Sands) at the beginning of September, the possible causes and what impact this could have on classifications for next year.

- There has been discussion of causes linked to climate change. The possibility of e-coli living longer in mud sediment and ocean temperature changes.
- 4.5. In conclusion, with an annual assessment based on four-years data, it may take several years to return the bathing water beaches to classification 'sufficient' or above. The role of the council is to influence and act as a 'critical' partner to the EA and Southern Water. There is a need for these agencies to allocate more testing and investigative resources to the district.

5. RISK MANAGEMENT ISSUES

5.1 A summary of the perceived risks follows:

Perceived risk	Seriousness	Likelihood	Preventative action
Continued reduction in bathing water quality at the district's beaches.	High	High	<ul style="list-style-type: none"> • Improve understanding of water infrastructure and causal factors. • Push for increased testing by EA and SW.

6. LEGAL/FINANCIAL AND OTHER CONTROLS/POLICY MATTERS

6.1 Legal Officer's Comments (NM)

There are no legal implications arising directly from this report. The Council needs to ensure that it complies with its legal duties under the Bathing Water Regulations 2013

6.2 Finance Officer's Comments (TM)

This report bears no financial implications to FHDC.

6.3 Diversities and Equalities Implications (AR)

There are no equalities and diversity implications.

6.4 Climate Change Implications (AT)

There are no climate change implications arising directly from this report. The recommendation is not to proceed with digital signage for the reasons set out above. As noted in paragraph 4.2, the council continues to engage constructively with the EA and Southern Water to push for more resourcing for investigation and remedial action and to advocate for greater investment in water infrastructure which should have positive impacts on the district's river and marine environment.

7. CONTACT OFFICERS AND BACKGROUND DOCUMENTS

Councillors with any questions arising out of this report should contact the following officer prior to the meeting

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The following background documents have been relied upon in the preparation of this report: