

IMPLEMENTATION OF THE REVISED EC BATHING WATER DIRECTIVE 2006/7/EC

It has been sometime since Defra last issued a bathing water newsletter. Following the publication of the revised Bathing Water Directive earlier this year (see page 2 for further information) we have decided to resurrect the newsletter as it proved, in the past, to be an efficient way of keeping a wide range of people up to date with our work. We will aim to issue the newsletters at regular intervals. We will also be in regular contact with those most closely involved/affected by the revised Directive throughout its transposition and implementation.



This edition of the newsletters covers

- the revised Bathing Water Directive;
- the timetable for transposition;
- signage working group;
- developing prediction methods for short term pollution;
- links with the Water Framework Directive.

1. Revised Bathing Water Directive

A revised Bathing Water Directive, 2006/7/EC came into force earlier this year on 24 March 2006. Whilst the overall objective of the revised Directive remains the protection of public health, it has provided an opportunity to improve management practices at bathing waters and to standardise information provided to bathers across Europe.

The main features of the revised Bathing Water Directive and further information can be found on the Defra website at

www.defra.gov.uk/environment/water/quality/bathing/revision.htm

However, some of the key features/requirements are as follows

- there are new tighter microbiological standards to be met by 2015;
- four new classification categories:
 - excellent – approximately twice as stringent as the current guideline standard;
 - good – similar to the current guideline standard;
 - sufficient – tighter than the current mandatory standard;
 - poor – normally non-compliant water;
- all bathing waters to achieve at least the “sufficient” classification by the end of 2015 (with limited exceptions);
- now only two microbiological parameters to monitor - *Intestinal enterococci* and *Escherichia coli*;
- increased provision of public information, allowing the public to make informed choices about bathing; and
- possibility of discounting poor samples at some bathing waters.

2. Proposed timetable for transposition

The UK has a period of two years from when the revised Directive came into force (24 March 2006) to bring into force new Regulations. Defra in conjunction with the Devolved Administrations and the 3 Environment Agencies set up a policy lead group in June this year to help take forward the work in a coherent manner across the UK and allow regular discussion of issues affecting the timely transposition of the revised Directive.

Defra is currently proposing to issue a consultation paper around Spring time next year. The consultation paper will be accompanied by a Regulatory Impact Assessment and draft Regulations. Defra will analyse the responses received following the 12 week consultation period and amend the legislation as appropriate, with a view to laying the Regulations before Parliament by January 2008, allowing sufficient time for the Regulations to come into force by 24 March 2008.

It is worth noting that whilst the Directive has to be transposed into UK law by March 2008 there is still further work to be undertaken post 2008. There are a number of deadlines which need to

be met following transposition. These are outlined on the revised Directive's webpage on the Defra website (see above).

3. Signage working group

Under the revised Directive, Member States have to provide specific information about bathing waters to the public on signage at beaches (see Article 12(1) for further details). Some of this information will need to be displayed using a system of standardised symbols or signs, to be proposed by the European Commission.

A small working group is being set up to assess what information is required and how or when this should be displayed at bathing waters and to develop work on standardised signs and symbols. The group will be looking at developing a common standard of information (wording and language), drawing on existing guidelines and good practice so that the information is consistent at all bathing waters and it can be easily understood by the public. The group will also consider aspects of other parts of the Directive that require information to be given to the public, such as during pollution events. The group is expected to conclude its initial work by early next year to feed into the consultation planned for Spring 2007. The group's output will also provide a useful body of work which the UK Government can draw upon when discussions take place in Europe on the development of standardised signs and symbols.

It is worth mentioning, however, that local authorities will still be free to decide the design and location of their signage, but a duty will be placed on them to display the specific information in a clear and simple manner as required by the Directive.

4. Developing prediction methods for short term pollution

The revised Directive gives Member States the option to overlook or "discount" up to 15% of samples taken at a bathing water during short term pollution events, as long as the public has been warned in advance that the water quality may be unsuitable for bathing. It is also worth noting that the use of discounting is only permissible if measures are actively being taken to prevent, eliminate or reduce the causes of pollution in the bathing water's catchment area.

Several methods of pollution prediction have already been considered or trialled by Defra, the Environment Agency (EA), the Scottish Executive and Scottish Environment Protection Agency (SEPA), including in particular, the system run by SEPA at a number of sites in Scotland. A study has recently been carried out into the potential for prediction and discounting at a selection of 19 bathing waters in England and Wales, covering the characteristics of most typical bathing waters found in these countries.

Phase 1 of this work is now complete and suggests that discounting has potential at certain sites in England and Wales, although the number of sites at which this might be used initially may be very small. A second phase of work is now required to further develop the model and to identify the number of sites at which pollution prediction may be applied (such as those sites where it may prevent a 'poor' classification under the revised Directive). It is hoped that this further work will be developed in conjunction with the EA and local authorities.

5. Links with the Water Framework Directive

Implementation of the Bathing Water Directive and the Water Framework Directive (WFD) are linked because bathing waters are “protected areas” under the WFD. For further information on the WFD visit –

www.defra.gov.uk/environment/water/wfd/index.htm

Consequently, actions under the WFD to improve water quality will include measures to achieve the new bathing water quality standards. Examples of linked implementation work are:

i. Characterisation

The WFD requires “characterisation” of water bodies, including bathing waters, to identify sources of pollution which need to be tackled to meet the required standards. The Environment Agency are presently characterising, as a priority, 35 bathing waters likely to be classified as 'poor' under the revised Bathing Water Directive. The Agency expects to complete the work shortly and certainly in time for the Catchment Sensitive Farming consultation mentioned below. The Agency will then start characterising the bathing waters that are likely to be classified as 'sufficient'. As well as helping to identify improvement measures, the characterisation results will become part of the bathing water profiles required under Article 6 of the Directive.

ii. Catchment Sensitive Farming

One of the key areas which we need to address if we are to achieve the tighter microbiological standards in the revised Directive at bathing waters is diffuse water pollution from agriculture (DWPA).

Defra's Catchment Sensitive Farming (CSF) programme aims to develop measures to tackle DWPA to meet Water Framework Directive (WFD) requirements. Several packages of supportive, regulatory and market-based policy options are currently being drawn up for consultation in December 2006. It is likely these options will include measures to reduce microbiological pollution of bathing waters.



6. Further information

Further information on the original and revised Bathing Water Directives can be found on the Defra website at

www.defra.gov.uk/environment/water/quality/bathing/default.htm

7. We would like to hear from you too...

If you have a particular point of interest or concern which you would like to discuss with the Department, or maybe you feel that you could add to the work being carried out by, for example, the signage working group, or perhaps there is an area you would like us to cover in a future edition of the newsletter then we would like to hear from you. You can email James Biott in the Water Quality Division, Defra - James.Biott@defra.gsi.gov.uk

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Defra

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