



Guidance for Bathing Water Operators in Northern Ireland



**Provision of information to the public and
other responsibilities**

December 2011

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1. Summary of Bathing Water Operator Responsibilities

This guidance details the responsibilities placed on you as a bathing water operator, by the revised European Union Bathing Water Directive¹ (the Directive) and the Quality of Bathing Water Regulations (Northern Ireland) 2008² (The Bathing Water Regulations). The Directive and the Bathing Water Regulations place a number of responsibilities on you. These are summarised below:

From the commencement of the 2012 bathing season:

- you must ensure that signage at your bathing water includes the information set out in section 4 (page 6) of this guidance

When you become aware of pollution incidents / abnormal situations/ exceptional weather events that could be considered a risk to human health you should:

- consult the Department (NIEA);
- take appropriate management measures to protect bathers health;
- provide information to the public;
- where necessary, remove any waste;
- and, if necessary, issue temporary advice against bathing

Where the Department has issued a notice requiring you to comply with the Bathing Water Regulations:

- comply with and implement the measures which are specified in the notice;
- provide the Department with any information it requires in carrying out its functions under the Bathing Water Regulations.

From the commencement of the 2016 bathing season:

- you must display the current classification of the bathing water provided by NIEA and ,where appropriate, any advice against bathing.

Where a bathing water receives a poor classification:

- in the following bathing season, signs must display the appropriate classification and the symbol advising the public against bathing. Information must also be provided about why the site is not recommended for bathing.

2. Guidance for bathing water operators

From the beginning of the 2012 bathing season it will be a legal requirement of the Directive for certain information to be displayed at beaches and inland waters throughout the

European Union that have been designated as bathing waters. The Bathing Water Regulations, which implement the Directive in Northern Ireland, place the responsibility to provide this information on the bathing water operator.

A bathing water operator is defined in the Bathing Water Regulations as *“any person who controls the land immediately adjacent to the bathing water which is normally used to access the bathing water from the landward side and, where the bathing water is tidal, control of such land above the high water mark”*.³ This means that, if you are a local authority, charity, business, private estate or individual that owns or leases such land, you have a responsibility under the Bathing Water Regulations to ensure that the required information is displayed in the vicinity of the bathing water. Where control of the bathing water is split between various bodies, all those bodies are responsible for ensuring that the information is available and you should seek a local agreement on where to display the information.

This guidance has been developed by the Department of the Environment (the Department) to help bathing water operators to understand your statutory obligations in the provision of information, which must be in place in advance of the bathing season of 2012. The guidance also identifies the other responsibilities placed on bathing water operators by the Directive and the Bathing Water Regulations. The guidance builds on current best practice and gives advice to assist you:

- To understand your responsibilities in supplying water quality information to the public so they can make an informed choice about where to bathe.
- To get advice on best practice for the development of bathing water signs.
- To understand the information collected and supplied to you by the Northern Ireland Environment Agency (NIEA, an agency within the Department).

In addition to explaining the requirements of the Directive, the guidance includes information about good practice in preparing signs. Statutory requirements are indicated by references to the Directive or to the Bathing Water Regulations.

3. Background

The Directive places a strong emphasis on providing information to the public on the quality of bathing waters to allow them to make an informed choice where to bathe⁴. As part of this, the Bathing Water Regulations require certain information to be available at all bathing waters⁵. These Regulations apply to all sites in Northern Ireland that have been designated as bathing waters under the Directive. The current list of bathing waters in Northern Ireland together with water quality compliance information is available on the NIEA website at:

<http://www.doeni.gov.uk/niea/quality/bathingqualityni.htm>

Following the introduction of signs in 2012, an additional requirement to show the “classification” of bathing water quality will come into effect in 2015. Standard symbols will be used to display the water quality classifications and, where appropriate, advice against bathing. The first classification for each bathing water will be announced in the NIEA bathing water press release following the end of the 2015 bathing season and must be displayed on the signs from the beginning of the 2016 bathing season.

Until 2014 NIEA will continue to use the current bathing water standards (of “guideline”, “mandatory” and “fail”) and will continue to supply the existing poster that can be used to display the sampling results, if you wish to do so. Following the 2012 bathing season the poster may be used (but is not compulsory) in conjunction with the statutory information that will then be required, but it will cease to be used when the new classifications come into effect.

The European Commission has developed standard symbols to be used to show the bathing water classifications and advice against bathing. These symbols will give people the information they need to make informed choices about where and when to bathe, and will safeguard public health by advising against bathing when water quality may be poor. A copy of the symbols adopted by the European Commission is attached at Appendix 1.

The requirement for signs will apply in all Member States of the European Union. For the first time, people will have access to similar water quality information when they visit bathing waters in the UK and when in other EU countries. It is hoped that the symbols will

become familiar and will be recognised as a source of information that can be found only at beaches and inland waters that have been designated as bathing waters under the Directive.

4. Signage requirements – information to be displayed

We hope that in most instances it will be possible to add the required information to existing signs, possibly by affixing an additional panel. The signs must contain the following information:

From the commencement of the 2012 bathing season:

- A brief general description of the bathing water, in non-technical language, based on the bathing water profile. NIEA will advise you about the text for the general description.⁶
- When bathing is temporarily advised against, a notice must advise the public of the nature and expected duration of the pollution⁷. NIEA will continue to sample the bathing water in line with the monitoring calendar.
- During a period of any “abnormal situation”, information on the nature and expected duration of that situation⁸. If so wished, the symbol for ‘advice against bathing’ (see Section 6) may be displayed from the 2012 bathing season onwards to protect the public during abnormal situations or pollution incidents, where an operator deems it necessary to introduce temporary advice against bathing. An abnormal situation means an event (or combination of events) impacting on bathing water quality and not expected to occur on average more than once every four years. Work is ongoing at a UK level to establish what kind of events would be regarded as an abnormal situation; examples might include sewer failure, marine pollution incidents or flooding caused by severe weather. NIEA will suspend the normal monitoring calendar during the abnormal situation and take a replacement sample at a later date.
- An indication of where to find more complete information (for example, in the bathing water profile on the NIEA website).⁹

From the commencement of the 2016 bathing season:

- The current bathing water classification based on the NIEA water quality

monitoring results from the preceding four bathing seasons and, where appropriate, any advice against bathing. This applies the classification system of the Directive and the first classifications will be published in late 2015¹⁰. NIEA will provide you with classification information for the bathing waters you are responsible for. The classification must be displayed using the standardised EU symbols attached at Appendix 1.

All relevant local by-laws, planning permission Regulations or guidance on signage in Protected Areas¹¹ should be followed. Further advice can be obtained from NIEA. Recommended standard lines will be provided to give the appropriate information for each bathing water¹².

The Directive also covers rules on the prediction of short term pollution, which require a warning to be displayed whenever short term pollution is predicted. The Environment Agency (England and Wales) has concluded that no viable, accurate prediction system can be developed in a cost effective way. This is also the case in Northern Ireland so this information may not be required.

5. Classifications

All information other than the classification is legally required to be in place by the 2012 bathing season¹³. The classifications must be displayed on signs at bathing waters from the bathing season of 2016 onwards, using the standardised EU symbols attached at Appendix 1. These symbols should be blue on a white background and the advice against bathing logo should be black and red.

To prepare for this, bathing water classifications under the new system will be published by NIEA in the bathing water results press release in autumn 2015. The classifications under the new system will be based on a dataset using four years of water quality data measured against the tighter microbial standards in the revised Bathing Water Directive. Monitoring for the 2015 classification will begin in 2012. Under the new system bathing waters will be categorised into one of four classes: excellent, good, sufficient or poor¹⁴. The water quality standards for the new classifications are much higher than those of the original Bathing

Water Directive and are described below.



“Excellent” classification will be approximately twice as stringent as the current “guideline” standard;



“Good” will be broadly equivalent to the current “guideline standard”



“Sufficient” will be approximately twice as stringent as a current “mandatory” pass



“Poor” will normally signify non-compliant waters

NIEA has used the 2005-2008 dataset to project how bathing waters in Northern Ireland would have been classified under the new standards. The projected results are available on NIEA website at:

<http://www.doeni.gov.uk/niea/water-home/quality/bathingqualityni/new-bathing-water-directive.htm>

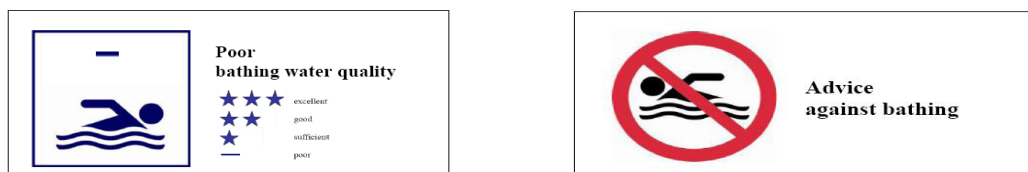
These projections are provided for information only. They are assessments based on current monitoring and do not take account of any improvements that may be made at bathing waters prior to 2015.

We anticipate that there will be more detailed information to provide about pollution and the associated health risks at bathing waters classified as “poor” or “sufficient” than at those classified as “good” or “excellent” because the lower classification suggests that pollution sources affect the bathing water to a greater extent.

NIEA will recalculate classifications every year after the bathing season and the overall classification of your bathing water may change. If this occurs, your signage must be updated to display the new classification for the following season. Please bear in mind when planning your signs: it would be advisable to incorporate a panel which can be easily changed to show the new classification.

6. Advice against bathing at waters following a “poor” classification

From 2015, if a bathing water receives a “poor” classification it will be necessary, in the following season, to advise the public against bathing in order to prevent bathers’ exposure to pollution. **This is not a ban on bathing**; there will simply be advice against bathing together with information about why bathing at the site is not recommended.



To make the public aware of such a situation following a “poor” classification, signs must display the appropriate classification symbol and the standardised EU symbol for advice against bathing (see above and Appendix 1), along with an explanation of the reasons for the classification (including the causes of the pollution) and information about management measures being taken to address pollution¹⁵. If this situation arises NIEA will provide the relevant information.

Following five consecutive “poor” classifications, permanent advice against bathing must be introduced. NIEA will discontinue sampling and the public will be advised not to bathe at the area concerned. The site will be removed from the list of designated bathing waters in the following year and the standardised EU symbol for advice against bathing displayed on a sign, together with the reasons based on water quality. Permanent advice against bathing can be introduced within a shorter period if it is infeasible or disproportionately expensive for the bathing water to achieve a classification of “sufficient”¹⁶. At bathing waters affected by this requirement NIEA will have carried out investigations into sources of contamination and related mitigation measures, in most cases for at least five years, and will advise about the information to be included on the sign.

7. Other Responsibilities

Although the Directive concentrates on water quality it also includes management measures to deal with health risks from other causes, especially waste and excessive seaweed. During pollution events or presence of **excessive** litter or seaweed, information should be given to advise the public of management measures being taken by the bathing water operator. Temporary signs can be used during exceptional events which may have an impact on public health.¹⁷ Where you have been made aware of a health hazard caused by seaweed, it is your responsibility to remove the seaweed. **If the seaweed is in a protected area, you should contact the NIEA Natural Heritage Directorate to confirm that you have consent to remove the seaweed.**

8. Sign text

We recommend that the text includes the information that the water is designated as an EU bathing water and monitored by NIEA during the bathing season, with dates. In Northern Ireland the bathing season runs from 1 June – 15 September each year. As an example of the information which can appear on the Water Quality panel or section of your sign, the sign below has been developed for a fictional bathing water. The symbols will be used with effect from the bathing season of 2016. The following is an example of a brief description that could appear on a sign

Sunny Days Beach

“Sunny Days is a designated European bathing water monitored by the Northern Ireland Environment Agency between 1 June – 15 September each year.”

[4 or 5 relevant **brief** lines from the bathing water profile highlighting potential sources of pollution e.g. “The stream which runs across the beach at this bathing water (see blue line on the bathing water map) may sometimes be a source of poorer water quality than usual, especially after heavy rainfall.”]

Map of the beach (not a statutory requirement)

The current bathing water classification for Sunny Days is:

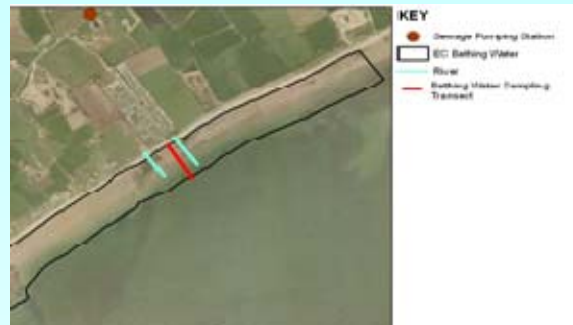
EC classification Symbol (required from 2016)

More information about water quality is available from the Sunny Days management team or from the Northern Ireland Environment Agency (website and contact details to be included)

The following is an example of the basic information that could be included on a sign at a bathing water which achieves a poor classification:

Sunny Days Beach

Sunny Days is a designated European bathing water monitored by the Northern Ireland Environment Agency between 1 June – 15 September each year.” The stream which runs across the beach at this bathing water (see blue line on the bathing water map) may sometimes be a source of poorer water quality than usual, especially after heavy rainfall. A map of the bathing water is contained below:



The current bathing water classification for Sunny Days is **Poor** :



Through monitoring of water quality and taking appropriate action if problems are identified, NIEA is endeavouring to achieve a good standard of water quality at this bathing site. However, water quality recorded at this site in the previous bathing season was poor on three occasions and due to its current classification, this bathing water is not recommended for bathing.



More information about water quality is available from the Sunny Days management team or from the NIEA (<http://www.doeni.gov.uk/niea/water-home/quality/bathingqualityni.htm>)

Northern Ireland Environment Agency
Water Management Unit
General Enquiries
17 Antrim Road
Lisburn
BT28 3AL
WaterInfo@doeni.gov.uk

9. Maps and graphics

Although not a legal requirement, it is best practice to include a map on signs at bathing

waters. The RNLI provides guidance on map design in “A guide to beach safety signs, flags and symbols”¹⁸ and maps of individual bathing waters showing the location of the sampling point will be available on the bathing water profiles.

10. Number and location of signs

The Directive and Regulations require signage information to be displayed in the vicinity of the bathing water.¹⁹ The best location will vary from site to site, for example in the car park or on the main entrance onto the beach, so where to place signage has been left to the discretion of the operators. It should be in an easily accessible location where the highest numbers of visitors are most likely to pass by.

Local or regular bathers will develop awareness over time of the location of information and its content and will be able to find it easily. Operators should therefore bear in mind the needs of visitors to the area when considering where signage is to be located. More than one sign may be required (although the Directive does not specify a minimum number) and this decision is best made at a local level depending on the nature of the bathing water.

Factors that may be considered when deciding on sign location are:

- Size of beach or bathing water
- Number of entry points to the bathing water
- Extent of congregation of bathers in certain areas or using certain entrances
- Wildlife protection policies or management plans discouraging erection of structures at certain locations
- Likelihood of damage by:
 - Rain damage to paper signs
 - Wind blowing poorly secured sheets away
 - Strong sunlight bleaching printing
 - Animals
 - Vandalism
- Cost effectiveness

The RNLI provides guidance on placing signs in its publication “A guide to beach safety signs,

flags and symbols”.

11. Design and languages

Signs must be clear and easy to understand. Guidance on good practice in the design of water safety and beach safety signs is set out in ISO20712-2 which can be obtained from the British Standards Institute²⁰. The RNLI has extensive information about signage design available on its website²¹.

A small sign or poster may be sufficient, but where possible the information should be incorporated into and take account of existing signage. Further advice about signs in protected areas can be obtained from NIEA.

Information should be provided in plain English as the aim of the signage is to provide the public with the information to make an educated decision on where to bathe.

If you are aware that your bathing water is regularly visited by a large number of people whose native language is not English, you may wish to consider providing the information on the signs in other languages as well as English.

12. Timetable

The timeline for implementation is –

- **Pre bathing season 2011** – publication of bathing water profiles by NIEA
- **From March 2011** – provision of general description text supplied by NIEA to bathing water operators
- **Pre bathing season 2012** – signs to be in place at all designated bathing waters
- **Start of bathing season 2012** – NIEA will check for the presence of at least one sign at all designated bathing waters
- **Post bathing season 2015** – classifications issued for all bathing waters by NIEA
- **Pre bathing season 2016** – signs updated with new classification symbols

13. Monitoring and Costs

This guidance sets out the minimum requirements for provision of information at

designated bathing waters. Provided the legal requirements are met, the format and design of signage is at the discretion of bathing water operators. NIEA will check the presence of adequate signage during routine pre-season visits and may take enforcement action where appropriate signage has not been used.²²

The cost of any new signage or modifications to existing signage will be borne by the bathing water operator. However, we plan to work with bathing water operators to introduce the signage requirement in the most cost-effective way possible. To support small businesses and others who may be impacted by the requirements of the Directive, NIEA will facilitate a pilot signage project which will include and involve all bathing water operators.

14. Information sources

The main source of the information which is to be included on the signs is the bathing water profiles developed by NIEA, which will be the basis of the brief description of the bathing water²³. Appendix 2 to this guidance lists the information that is included in the profiles. The profiles were completed in March 2011 and NIEA will contact you to advise you on how to use the relevant profile information to prepare the general descriptions for your signs. The profiles are also available on the NIEA website. From the end of the 2015 bathing season, annual bathing water classifications will be provided by NIEA.

15. Contacts

Please do not hesitate to contact the Department, including NIEA, if you would like any further information or advice. Contact details can be found in Appendix 3

Appendix 1: Symbols for informing on bathing water classifications and

advice against bathing (The classification symbols should be blue on a white background and should be used from 2016 onwards. The advice against bathing logo should be black and red and, in relation to waters classified as 'poor', should be used from 2016 onwards. This symbol can also be used from the 2012 bathing season onwards to protect the public during abnormal situations or pollution incidents, where an operator deems it necessary to introduce temporary advice against bathing)



**Excellent
bathing water quality**

★ ★ ★	Excellent
★ ★	Good
★	Sufficient
—	Poor



**Good
bathing water quality**

★ ★ ★	Excellent
★ ★	Good
★	Sufficient
—	Poor



**Sufficient
bathing water quality**

★ ★ ★	Excellent
★ ★	Good
★	Sufficient
—	Poor



**Poor
bathing water quality**

- ★ ★ ★ Excellent
- ★ ★ Good
- ★ Sufficient
- Poor



**Advice
against bathing**

Appendix 2: Bathing Water Profile Information

Contents of Bathing Water Profiles

1.—(1) Every bathing water profile shall—

- (a) contain a description of the physical, geographical and hydrological characteristics of—
 - (i) the bathing water; and
 - (ii) any other surface water in the catchment area of the bathing water where the surface water could be a source of pollution for the bathing water;
- (b) identify and assess the causes of pollution that might affect bathing water quality and pose a risk to bathers' health;
- (c) assess the potential for cyanobacterial proliferation;
- (d) assess the potential for the proliferation of macro-algae or phytoplankton;
- (e) identify the location of the monitoring point;
- (f) if the assessment under sub-paragraph (b) shows that there is a risk of short-term pollution contain—
 - (i) information as to the anticipated nature, frequency and duration of short-term pollution;
 - (ii) details of the expected causes of short-term pollution;
 - (iii) details of the management measures taken and the time schedule for the elimination of the causes;
 - (iv) details of the management measures taken during a short-term pollution incident; and
 - (v) the identity and contact details of any person responsible for taking the management measures during the incident.

(2) The information in sub-paragraph (1)(a) and (b) shall be detailed on a map whenever practicable.

Review

2.—(1) Where a bathing water is classified as “poor”, “sufficient” or “good” under regulation 12, the Department shall review the bathing water profile—

- (a) at the following minimum frequency—
 - (i) for a “poor” classification, every two years;
 - (ii) for a “sufficient classification”, every three years; and
 - (iii) for a “good” classification, every four years; and
- (b) taking into account the nature and severity of the pollution which affects the bathing water.

(2) Where there are significant construction works or infrastructure changes in or around a bathing water, the Department shall review the bathing water profile before the start of the next bathing season.

Appendix 3 - Contact Information

For information on bathing water identification

Bathing Water Team
Department of the Environment
6th Floor, Goodwood House
44-58 May Street
Belfast
BT1 4NN
Tel: 028 9025 4741
Email: Waterpolicy@doeni.gov.uk

For information on bathing water monitoring, quality and profiles

Water Management Unit
Northern Ireland Environment Agency
17 Antrim Road
Lisburn
BT28 3AL
Tel 028 9262 3100
Email: WaterInfo@doeni.gov.uk

For general guidance on signage

Royal National Lifeboat Institution
West Quay Road
Poole, Dorset BH15 1HZ
Tel: 0845 1226 999
Email: beachsafety@rnli.org

British Standards Institute
BSI Customer Services
389 Chiswick High Road
London
W4 4AL
United Kingdom
Tel: +44 (0)20 8996 9001
Email: cservices@bsigroup.com

For information on protected areas

National Heritage Protected
Landscapes/Areas of Outstanding Natural
Beauty
Northern Ireland Environment Agency
Klondyke Building
Cromac Avenue
Gasworks Business Park
Lower Ormeau Road
Belfast
BT2 7JA
Tel 028 9056 9615
Email: protectinglandscapes@doeni.gov.uk

For consent to carry out management operations in protected areas

Conservation Designations and Protection
Northern Ireland Environment Agency
Klondyke Building
Cromac Avenue
Gasworks Business Park
Lower Ormeau Road
Belfast
BT2 7JA
Tel 028 9056 9515
Email: cpd@doeni.gov.uk

References

- ¹ Directive 2006/7/EC of the European Parliament and of the Council concerning the management of bathing water quality and repealing Directive 76/160/EEC
- ² The Quality of Bathing Water Regulations (Northern Ireland) 2008 SR No. 231
- ³ Regulation 2 of The Quality of Bathing Water Regulations (Northern Ireland) 2008 SR No. 231
- ⁴ Article 12 of Directive 2006/7/EC
- ⁵ Regulation 9 of The Quality of Bathing Water Regulations (Northern Ireland) 2008 SR No. 231
- ⁶ Regulation 10 of the Quality of Bathing Water Regulations (Northern Ireland) 2008 SR No. 231
- ⁷ Regulation 9.1.b of the Quality of Bathing Water Regulations (Northern Ireland) 2008 SR No. 231
- ⁸ Regulation 9.1.e of the Quality of Bathing Water Regulations (Northern Ireland) 2008 SR No. 231
- ⁹ Regulation 9.1.f of the Quality of Bathing Water Regulations (Northern Ireland) 2008 SR No. 231
- ¹⁰ Regulation 9.1.a of the Quality of Bathing Water Regulations (Northern Ireland) 2008 SR No. 231
- ¹¹ Eg ASSI, SAC, SPA, Ramsar, Nature Reserves, Marine Nature Reserves, AONB and World Heritage sites (http://www.ni-environment.gov.uk/protected_areas_home)
- ¹² Regulation 10.2 of the Quality of Bathing Water Regulations (Northern Ireland) 2008 SR No.231
- ¹³ Article 12.4 of Directive 2006/7/EC
- ¹⁴ Article 5 of Directive 2006/7/EC
- ¹⁵ Article 5.4 of Directive 2006/7/EC and regulation 14 of the Quality of Bathing Water Regulations (Northern Ireland) 2008
- ¹⁶ Article 5.4.b of Directive 2006/7/EC and regulation 12(2) of the Quality of Bathing Water Regulations (Northern Ireland) 2008
- ¹⁷ Article 9 of Directive 2006/7/EC and regulation 13 of the Quality of Bathing Water Regulations (Northern Ireland) 2008
- ¹⁸ http://www.rnli.org.uk/what_we_do/sea_and_beach_safety/beachsafety/signage
- ¹⁹ Article 12.1 of Directive 2006/7/EC and regulation 9.1 of the Quality of Bathing Water Regulations (Northern Ireland) 2008
- ²⁰ <http://shop.bsigroup.com/en/ProductDetail/?pid=00000000030132723>
- ²¹ http://www.rnli.org.uk/what_we_do/sea_and_beach_safety/beachsafety/beach_management/signage)
- ²² Regulation 17 of the Quality of Bathing Water Regulations (Northern Ireland) 2008
- ²³ Regulation 7 of the Quality of Bathing Water Regulations (Northern Ireland) 2008 SR No. 231