

Spotlight Review of South West Water – Response to Questions from the Environment Agency

Please see below answers to the questions that were posed to the Environment Agency.

1. Currently water quality testing was only carried out between May and September, what consideration had been given to carrying out water quality testing all year round and could this be revisited in light of Torbay Council's ambition to be a premier tourism destination

The Environment Agency is required to follow the monitoring requirements set out in the Bathing Water Regulations (2013). These specify a fixed bathing water season between 15th May and 30th September. Monitoring is required to take place within these dates except for the first sample of the season which is required to be taken shortly before the start of the season. Going beyond the statutory monitoring requirements for a fixed season set out in the Regulations is not within the Environment Agency's remit and would require changing policy and/or legislation which are the responsibility of Defra.

2. To explain why Livermead beach does not show on the map as a designated bathing beach, which was popular for people swimming with dogs, jet skis and other water sport users

Livermead does not show up on Swimfo as it not a designated bathing water under the bathing water regulation. If the Council wish to apply for its designation this can done. Guidance on this can be found here: [Designate a bathing water: guidance on how to apply - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/designate-a-bathing-water)

3. What assurance could be given that the testing and standards for water quality had not been subject to negotiations with water companies and that there was an improving direction rather than concessions being made

This question is currently on hold, and in order for us to help you further, please can you provide more detail about what you are wanting information about?

4. What assurance could be given to the loophole that regulators could discount 1 out of 7 water quality samples when there was an atypical event and what was classed as such event

Only 61 out of 150 bathing water in Devon and Cornwall are submitted to Pollution Risk Forecasting. Most bathing waters consistently have very high water quality nearly all of the time.

However, at some bathing waters there are natural variations in quality that are predictable. At these sites we actively let bathers know of days when water quality may be temporarily reduced compared to normal conditions. This is due to factors such as the weather and tides which influence the levels of bacteria washed off the land into the sea and their dispersion. This is short term pollution (STP) and is defined as pollution that has identifiable causes and is expected to affect the quality of a bathing water for less than 72 hours. We use Pollution Risk Forecasting (PRF) to let people know when this is likely to happen.

To make these forecasts we use measurable factors that we know influence bathing water quality including rain, tide, wind, sunlight and seasonality. We match these factors to historic sample results to individually assess the risk factors unique to each bathing water. PRF doesn't currently directly take account of information from storm overflows operated by water companies. However, since these operate during heavy rainfall, warnings often coincide with discharges. When a temporary reduction in water quality is forecast, we issue a daily pollution risk warning and advice against bathing. This enables bathers to avoid times or locations where the risk of pollution is higher than normal and health risks from bathing may be higher than the annual classification suggests.

Where a local authority has signed up to receive and act on pollution risk warnings this activates the STP signage requirements of the Bathing Water Regulations. This means samples taken during STP events are eligible to be disregarded from the compliance assessment. The requirements include additional information on the bathing water fixed sign and a reactive daily warning sign whenever a warning is issued. Defra is responsible for bathing water signage requirements and they provide guidance. Both types of signs must be located in a clearly visible location in the near vicinity of the bathing water. PRFs and warnings can be sent automatically to suitable electronic signs via text messages, which are used at a number of bathing waters.

Each day from 1 May to 30 September we make a forecast of average water quality for each bathing water included in the system and issue advice against bathing if appropriate. The Bathing Water Regulations specify that compliance samples taken during short term pollution may be excluded (disregarded) from the annual classification, provided the relevant STP procedures are in place. The Environment Agency considers several factors in deciding whether to disregard a sample. The total number of samples disregarded must not exceed 15% in any one assessment. We will only disregard samples that improve the classification percentile assessment for one, or both of the bacterial indicators specified in the Regulations and will consider each sample on a case-by-case basis.

Torbay Council have a very active beach controller who works closely with the Environment Agency to ensure the council upload their bathing water regulation obligation.