

Our Ref: Exec Ref: 16753

Date: 18th January 2023

Via email: [david.hoare@parliament.uk](mailto:david.hoare@parliament.uk)

Dear Selaine Saxby MP,

Thank you for your email dated 10<sup>th</sup> January 2023, regarding Bathing Water testing.

We receive many enquiries about this, but the Environment Agency is required to follow the statutory 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.

We take between ten and twenty water samples at each of England's designated bathing waters during the bathing season each year. In each sample we test for bacteria that indicate whether there is faecal matter in the water. These are known as faecal indicator organisms or FIOS and the specific ones we test for are E. coli and Intestinal enterococci.

This monitoring is used to produce a classification scheme set out within the Regulations. The samples taken each season are combined with up to 4 years' worth of data from previous seasons to give a bathing water its annual classification. Classifications give a long-term assessment of water quality over a four-year period. This has many uses including being able to make a comparison of water quality between bathing waters, and also allowing the Environment Agency to make decisions on long-term pollution reduction measures.

An annual classification gives an overall assessment of water quality, but it does not give bathers the real-time information of the risk at any given time. The Environment Agency website [Swimfo](#) provides information on daily pollution risk forecasts at a number of sites, eg. where sewers may overflow during heavy rainfall. In summary:

- The Bathing Water Regulations set out the responsibilities of public bodies for each aspect of bathing water management.
- The Secretary of State (Defra) is responsible for guidance on how to implement the Regulations, designating and de-designating bathing waters, reporting on bathing water seasons, and enforcement when local authorities fail to meet their duties.
- The Environment Agency (EA) is responsible for monitoring, assessing and classifying bathing waters, providing bathing water profiles and managing bathing water quality to meet the Regulations' standards through pollution prevention measures. The EA also has the responsibility to provide information on bathing waters to the public, including notification of short term pollution via Swimfo
- Beach owners, most commonly the Local Authority, are responsible for providing information about pollution incidents at bathing waters through public information signage.

- Water companies are required to inform the EA and Local Authorities of any pollution incidents that take place.

Nevertheless, Defra is in the process of analysing and assessing its Retained EU Law (Revocation and Reform) Bill stock to determine what should be preserved as part of domestic law, and what should be repealed, or amended. This work will determine how we use the powers in the Bill, including in relation to the Bathing Water Regulations 2013. The review of the Regulations is underway, but still at the planning stage and it is unsure when this will make its way through to parliament. The Environment Agency welcome the review of the Bathing Water Regulations and if these are developed to include year round sampling, or sampling at other types of sites we will deliver these requirements, through the required appropriate funding.

If you would like to discuss this further, please contact our Customers and Engagement Team, who will be happy to help you. You can contact the team via [DCISEnquiries@environment-agency.gov.uk](mailto:DCISEnquiries@environment-agency.gov.uk).

Yours sincerely



**Mark Rice**  
**Area Director – Devon, Cornwall and the Isles of Scilly**

8 [DCISEnquiries@environment-agency.gov.uk](mailto:DCISEnquiries@environment-agency.gov.uk)  
+ Environment Agency, Manley House, Kestrel Way, Exeter EX2 7LQ