
STATUTORY INSTRUMENTS

2013 No. 1675

The Bathing Water Regulations 2013

PART 1

GENERAL PROVISIONS

Identification of bathing waters

3.—(1) Part 1 of Schedule 2 lists the surface waters that have been identified in England, other than excluded pools and waters, at which the Secretary of State expects a large number of people to bathe, having regard in particular to past trends and any infrastructure or facilities provided, or other measures taken, to promote bathing at those waters.

(2) Part 2 of Schedule 2 lists the surface waters that have been identified in Wales, other than excluded pools and waters, at which the Welsh Ministers expect a large number of people to bathe, having regard in particular to past trends and any infrastructure or facilities provided, or other measures taken, to promote bathing at those waters.

(3) For the purposes of paragraphs (1) and (2), excluded pools and waters are—

- (a) swimming pools and spa pools;
- (b) confined waters subject to treatment or used for therapeutic purposes;
- (c) artificially created confined waters separated from surface water and groundwater.

(4) The Secretary of State must publish the following information annually, and in accordance with paragraph (6)—

- (a) a complete list of all bathing waters in England stating their classifications;
- (b) details of all surface waters in England at which permanent advice against bathing is currently in place under regulation 13, including, in relation to each such surface water, the reasons for that advice.

(5) The Welsh Ministers must publish the following information annually, and in accordance with paragraph (6)—

- (a) a complete list of all bathing waters in Wales stating their classifications;
- (b) details of all surface waters in Wales at which permanent advice against bathing is currently in place under regulation 13, including, in relation to each such surface water, the reasons for that advice.

(6) The information to be published under paragraphs (4) and (5) must be actively disseminated before the start of the bathing season using appropriate media and technologies including the internet, and in such languages as the appropriate Minister considers appropriate.

(7) For the purposes of giving effect to the Bathing Water Directive, section 104(1) of the Water Resources Act 1991⁽¹⁾ (meaning of “controlled waters”) has effect as if “inland freshwaters”

(1) 1991 c. 57.

included any lake or pond (other than a relevant lake or pond within the meaning of that section) identified under this regulation.