

---

STATUTORY INSTRUMENTS

---

**2013 No. 1675**

**The Bathing Water Regulations 2013**

**PART 5**

**MANAGEMENT OF BATHING WATERS**

**Management measures at bathing waters subject to pollution incidents**

- 12.**—(1) This regulation applies where a body mentioned in paragraph (2) is aware of—
- (a) an incident of contamination by intestinal enterococci or *Escherichia coli*, other than an incident of short-term pollution to which regulation 15 applies, that the body considers may pose a risk to bathing water quality and bathers' health;
  - (b) a cyanobacterial proliferation which the body considers may pose a risk to bathers' health;
  - (c) a proliferation of macro-algae or marine phytoplankton which the body considers is unacceptable or may pose a risk to bathers' health;
  - (d) the presence of waste, including tarry residues, glass, plastic or rubber; or
  - (e) any other incident, other than an incident of short-term pollution to which regulation 15 applies, that the body considers may pose a risk to bathing water quality and bathers' health.
- (2) The bodies are:
- (a) the appropriate agency;
  - (b) a sewerage undertaker;
  - (c) a local authority.
- (3) The appropriate agency must promptly or, in the case of a cyanobacterial proliferation under paragraph (1)(b), immediately—
- (a) consult—
    - (i) the local authority that controls the bathing water, and
    - (ii) if necessary, the local sewerage undertaker;
  - (b) use appropriate media and technologies to actively and promptly disseminate information to the public, in such languages as are appropriate, and take such other appropriate agency management measures as it considers appropriate, to prevent exposing bathers to identified or presumed health risks.
- (4) The sewerage undertaker must, if necessary, promptly consult—
- (a) the appropriate agency, and
  - (b) the local authority that controls the bathing water.
- (5) The local authority must promptly or, in the case of a cyanobacterial proliferation under paragraph (1)(b), immediately—
- (a) consult the appropriate agency so far as necessary;

- (b) notify the local sewerage undertaker, if necessary;
- (c) ensure that appropriate information is actively disseminated and promptly made available to the public during the bathing season in an easily accessible place in the near vicinity of the bathing water, and take such other local authority management measures as it considers appropriate, to prevent exposing bathers to identified or presumed health risks; and
- (d) in the case of pollution by waste, remove the waste.