

**REPORT TO: ENVIRONMENTAL SERVICES & SUSTAINABILITY COMMITTEE –  
19th September 2005**

**REPORT ON: APPLICATION TO SCOTTISH EXECUTIVE TO DESIGNATE  
BROUGHTY FERRY BEACH AS AN IDENTIFIED BATHING WATER**

**REPORT BY: ASSISTANT CHIEF EXECUTIVE (COMMUNITY PLANNING)**

**REPORT NO: 543-2005**

## **1 PURPOSE OF REPORT**

1.1 This report outlines an application to the Scottish Executive to have Broughty Ferry beach designated as an 'Identified Bathing Water'.

## **2 RECOMMENDATIONS**

2.1 It is recommended that:

- a) Committee supports an application to the Scottish Executive to have Broughty Ferry beach designated as an 'Identified Bathing Water'.

## **3 FINANCIAL IMPLICATIONS**

3.1 None.

## **4 LOCAL AGENDA 21 IMPLICATIONS**

4.1 The City Council is committed to retaining its 'Blue Flag' status for Broughty Ferry beach. A necessary pre-requisite to achieve this for future years will be to secure Broughty Ferry as an 'Identified Bathing Water'. This status is most likely to impact upon the opportunities to promote leisure and recreation in Dundee with resulting effects on the environment and economic considerations for Broughty Ferry beach.

## **5 EQUAL OPPORTUNITIES IMPLICATIONS**

5.1 None.

## **6 BACKGROUND**

6.1 The EC Directive concerning the quality of bathing water (76/160/EEC), also known as the Bathing Water Directive, was one of the original pieces of environmental legislation to emerge from the European Commission.

6.2 The aim of the legislation was to protect the quality of waters where bathing takes place in large numbers and, ultimately, to protect the health of people who go to those areas. The Directive is aimed at ensuring favourable conditions for all users throughout the bathing season, and at providing uniform standards of protection for bathers at recognised bathing waters throughout Europe.

6.3 Under the Bathing Water Directive, EU Member States are required to identify appropriate waters within their territories and to take actions to maintain and improve the quality of these identified waters to specified standards. In Scotland, bathing waters are identified under the Bathing Waters (Classification) (Scotland) Regulations 1991, and are the responsibility of Scottish Ministers (prior to devolution this was the responsibility of the Secretary of State for Scotland).

6.4 The first round of identifications was completed in 1987 with 23 sites being identified, by a Bathing Waters Review Panel, made up of the Scottish Executive, Local Authorities, SEPA, Scottish Tourist Board, Keep Scotland Beautiful (KSB) and the predecessor organisations to Scottish Water. A further 37 beaches were identified in 1998 and since then no further sites have been identified and the selection panel has not sat. Broughty Ferry beach was not amongst these 60 identified sites.

## 7 APPLICATION PROCESS

7.1 The Scottish Executive has revisited the Bathing Water Identification process and is now requesting applications for new bathing water identifications. The deadline for the submission is 30th September 2005, with the announcements of successful designations taking place by the 1st June 2006.

## 8 OPPORTUNITIES FOR DUNDEE CITY COUNCIL

8.1 Since the addition of 37 sites to the list of Scottish identified bathing water in 1998, the City Council has been lobbying the Scottish Executive to give consideration to identifying Broughty Ferry beach.

8.2 In recent years substantial investment has gone into improving water quality in the Tay and providing facilities for visitors to Broughty beach. As a result of this investment Broughty Ferry beach has gained recommended status on the Marine Conservation Society's 'Good Beach Guide' in 2004 and 2005; achieved EnCams/KSB 'Yellow Flags' in 2004 and 2005 and the Foundation for Environmental Education (FEE)/KSB 'Blue Flag' in 2005.

8.3 In order to gain a Blue Flag, a beach must be designated as an Identified Bathing Water. Although not designated, the FEE international jury awarded a Blue Flag for Broughty Ferry in 2005 on a dispensation case, as it achieved all other required criteria. Broughty Ferry beach must therefore now secure Identified Bathing Water status before it can be considered for a Blue Flag in 2006 and beyond.

8.4 The case for Broughty Ferry to be an Identified Bathing Water is strong. The Scottish Executive has indicated that applications for identification will need to show evidence of 150 beach users daily (with a minimum of three counts - one per month in June, July and August); proper beach management and the support of the beach owner. Such evidence will be provided by the Council and it is considered that Broughty Ferry will meet the Scottish Executive's requirements for identification.

## 9 CONSULTATION

9.1 The Chief Executive, Depute Chief Executive (Support Services), Depute Chief Executive (Finance) and other relevant Chief Officers have been consulted in the preparation of this report

## 10 BACKGROUND PAPERS

Environmental Services & Sustainability Committee Report 498-2004, 21st June 2004, "Scottish Executive Consultation on Proposals for a Bathing Water Identification Strategy".

Chris Ward  
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