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Inland waters to be designated under EC bathing water rules

For the first time in 20 years, inland waters in Britain are to be designated under the 1976 EC Directive on bathing water quality. The decision was revealed prematurely by junior Environment Minister Angela Eagle during a parliamentary hearing at which she also urged the European Commission to scrap a proposal to tighten up the Directive.

Ms Eagle's slip occurred on 29 April as she was explaining the Government's stance towards two EC water proposals to the House of Commons European Standing Committee.

Questioned about when the Government will respond to the recent report on sewage treatment by the House of Commons Environment Committee (ENDS Report 277, pp 31-32), the Minister promised a reply within weeks. The report advocated disinfection of all sewage discharges to freshwaters, and Ms Eagle added "from memory" that the Government has already "announced the designation of nine inland bathing waters, something that has not been done before."

No such announcement has in fact been made, and the Government had almost certainly been intending to use the new designations to put a positive spin on its response to the Committee's radical recommendations on future sewage treatment and disposal standards.

The new designations will mark another chapter in the UK's chequered record in implementing the 1976 Directive. In 1979, in an effort to keep costs down, just 27 waters - all in England - were initially identified as meeting the Directive's criteria for a bathing water. It was only after prolonged pressure from the European Commission that a further 362 waters were identified in 1987. The total now stands at 429.

Successive Governments have also been criticised for confining the designations to coastal waters and providing no protection to bathers and other recreational users of lakes and rivers. In contrast, almost 6,200 inland waters have been designated by other Member States.

The nine inland designations promised by Ms Eagle may not be the end of the story. They have been identified as clearly meeting the EC criteria from a short-list prepared for the Department of the Environment, Transport and the Regions last year by the Environment Agency. But the Department is understood to be seeking further information on at least five more waters to clarify whether they meet the criteria.

Ms Eagle also told the Committee that the Government wants the European Commission to withdraw its 1994 proposal to amend the bathing water Directive.

The main amendments sought by the Commission were a new limit on faecal streptococci in bathing waters and a clarification to make the existing zero limit for enteroviruses legally binding. In 1995, an official study estimated that these changes would require capital investments of £1.6-4.2 billion across the UK, though deletion of the zero standard for viruses would cut the cost to £0.44-1.1 billion.

In 1995, a House of Lords inquiry into the amending Directive concluded that there was no scientific basis for the virus standard. However, it criticised the Department of Health for disregarding studies which demonstrated a risk of minor illnesses among bathers exposed to faecal streptococci at levels well below the standard proposed by the Commission, and recommended that a decision on what standard to pursue for these organisms should be taken after a public debate on the balance of risks and costs (ENDS Report 243, p 36 [▶](#)).

On 29 April, Ms Eagle said that "the previous Government shared those views, and the present Government see no reason for taking a significantly different stance." The Government supported changes to the 1979 Directive which would "allow better targeting of resources without weakening standards of protection", but the Commission's proposal failed to meet those objectives. The Government, she added, had "particular reservations" about the zero limit for "enterovirus" (sic), "which is very small and hard to spot."

According to the Minister, there have been "recent informal indications" to suggest that a "clear majority" of Member States want the proposal withdrawn, while the next three countries in the EC Presidency - Austria, Germany and Finland - have no plans to revive negotiations on it. Ms Eagle urged the Commission to drop the proposal and then carry out "proper consultations on what Member States would like to see in any new revision."

A constituency interest was raised in the debate by Joan Humble, Labour MP for Blackpool North and Fleetwood. In February, North West Water revealed that it will have to spend an extra £100 million in an attempt to bring several bathing waters into compliance with the Directive following an embarrassing failure of modelling studies to make accurate predictions of the fate of sewage discharges in the area (ENDS Report 277, p 3 [▶](#)).

According to Mrs Humble, a local campaigner told her that when North West Water gave a public presentation of its earlier clean-up plans, "one scientist told her that the half-treated sewage would rise to the surface in Morecambe Bay and that the efficacious rays of the sun would disinfect it. Another scientist told her that this same half-treated sludge would sink to the bottom of the Lune Deep, disappear from sight, never raising its ugly head again. We must," she suggested, "ask those who set themselves up as experts to be much firmer in the advice they give."