

2023 Assessment - Designation of the Half Moon as an EU Identified Bathing Water



Revision	Status	Date	Prepared by	Reviewed by	Approved by
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Contents

1. Introduction	1
1.1. <i>Bathing water legislation</i>	1
1.2. <i>What is a bathing water?</i>	1
2. 2023 Period of Public Participation	2
3. Location proposed for designation	3
4. EPA assessment criteria	5
4.1. <i>Assessment Criteria</i>	5
4.2. <i>Overall Assessment</i>	7
5. Conclusion and Recommendation	11

Table of Figures

Figure 1 The Half Moon Bathing Location (www.google.ie/maps).....	3
Figure 2 Area proposed for consideration, (note: not to scale, google.ie/maps)	4

Table of Tables

Table 1 Criteria for the assessment of new bathing waters.....	6
Table 2 Assessment of Submission.....	9
Table 3 Assessment of Submission.....	10

1. Introduction

1.1. Bathing water legislation

The 2008 Bathing Water Regulations (SI No 79 of 2008) transpose the Bathing Water Directive (2006/7/EC) into Irish law. These regulations apply much more stringent criteria than preceding bathing water legislation, with the aim of protecting bather health. In particular, there are more stringent criterion in respect of bacteriological quality of bathing waters, and the management and notification of pollution incidents. The regulations define the bathing water season as the period between June 1st and September 15th each year.

Dublin City Council (DCC) is responsible for the designation and management of bathing waters. The Environmental Protection Agency (EPA) are responsible for the classification of designated bathing locations and reporting of incidents and results to the European Commission.

Article 17 of the regulations requires DCC to encourage public participation in relation to the establishment, review and updating of lists of bathing waters. The reader is referred to EPA document '*Public advice on identifying new bathing waters*' for more information on the governing legislation, the role of the Local Authority and procedures relating to the designation of bathing waters.

1.2. What is a bathing water?

Article 4(2) of the 2008 Bathing Water Regulations states that;

"The bathing waters to be identified by a local authority shall be all elements of surface water where the authority expects a large number of people to bathe."

The Regulations do not specify what constitute 'bathers' or 'large numbers'. While the European Commission considers that 'bathers' constitutes all users of a beach, Member States have generally interpreted 'bathers' as people in direct contact with the water for recreational use. The exception here is for water sports such as kayaking, surfing, wind surfing, etc. Areas where these activities occur should be considered for identification as a bathing water *only* if bathing is also occurring at that location.

It is challenging to determine what constitutes 'large numbers'. Bather numbers can be influenced by factors such as tides, weather, facilities and accessibility. For the current designated Irish bathing waters, 'large numbers' varies but can start from 5

users per day depending on the location and bathing trends.

2. 2023 Period of Public Participation

During the bathing season, DCC holds a period of public consultation & participation. During this period, the public are encouraged and invited to comment on existing bathing waters and/or propose new bathing waters to be considered for designation.

Any person, community body, public body or local authority can make a submission to have a bathing location considered for designation. However, the Local Authority must be satisfied that it meets the relevant criteria for classification as a bathing water. The Water Pollution Control Section manages this process on behalf of DCC.

In 2023, the period of public participation was held from 09/05/23 until 28/09/23. A notice was published in the Irish Independent by the LGMA on Monday 08/05/23.

DCC set up a dedicated public participation [website](#) to assist the public in making a submission, where the notices were made available in Irish and English. The public participation campaign is widely advertised by DCC utilising various media platforms.

All submissions received by the Water Pollution Control Section are acknowledged by email, typically on the same day as received, or as soon as practicable thereafter.

3. Location proposed for designation

The Half Moon Bathing Location is located approximately halfway along the South Bull Wall (see Figure 1 below). The Great South Wall (GSW) is approximately 2km long and can be accessed by bike and foot. A small car park is located at the start of the wall. An additional carpark and bike rack is available at the nearby Shelley Banks. Cars are not permitted to drive along the wall to the bathing location, and are restricted at the start of the way by means of bollards and chains.

The primary access route to the GSW is off Pigeon House Road by car or via Irishtown Nature Park by foot. The access road is private (ESB), the Dublin Port Company manages the GSW and DCC manage the car parks.

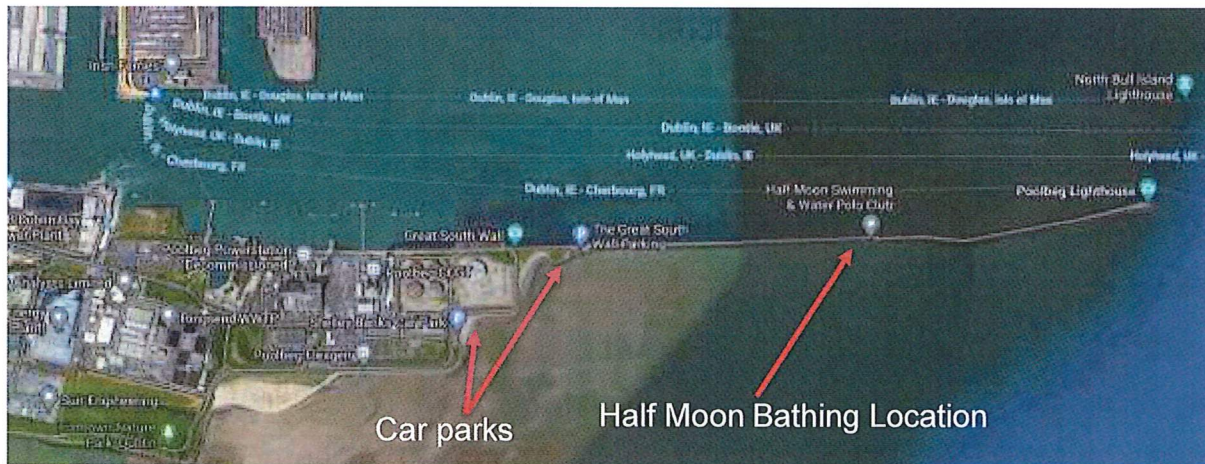


Figure 1 The Half Moon Bathing Location (www.google.ie/maps)

The GSW was built in 1748 by the Port Authority and was constructed to prevent the encroachment of sand into the River Liffey channel. Its construction permitted the straightening of the Liffey channel, which increased flow and depth to improve shipping activities.

The GSW and Poolbeg lighthouse is a popular destination for walkers. The wall offers views of the Liffey Estuary, Bull Island and the South Dublin Coastline.

The Half Moon is currently recognised by the Environmental Protection Agency as an *Other Monitored Water*. DCC propose to formally recognise the location as a designated bathing water in accordance with the Bathing Water Regulations SI 79 of 2008.

No change to current frequency of water quality monitoring is proposed. All bathing waters in Dublin City are monitored at the same frequency inside and outside of the bathing season (1st June to 15th September) regardless of designation. Monitoring is conducted on a weekly basis during the bathing season and fortnightly thereafter.

The area proposed for designation is the area in the immediate vicinity of the Half Moon Swimming Club as outlined in Figure 2 below.

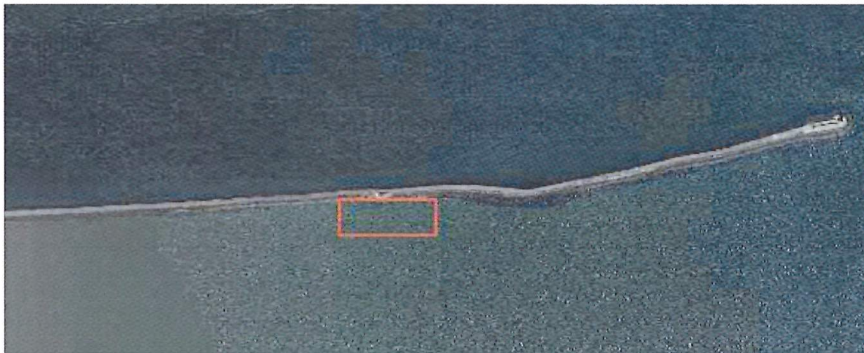


Figure 2 Area proposed for consideration, (note: not to scale, google.ie/maps)

Consultation with pertinent stakeholders who may be impacted by designation is encouraged to be carried out when submitting a request for designation. DCC consulted directly with the Dublin Port Company, Electricity Service Board, National Parks and Wildlife Services, Irish Coast Guard, Uisce Éireann and the Half Moon Swimming Club.

The location was also independently risk assessed by Water Safety Ireland (WSI), where DCC and Dublin Port Company have implemented WSI recommendations as required.

4. EPA assessment criteria

4.1. Assessment Criteria

The EPA's document 'A framework to assist Local Authorities in the assessment of submissions for the identification of new bathing waters' provides guidance on how to assess submissions in relation to the designation of new bathing waters. This is in accordance with the requirements of the Bathing Water Regulations (SI No. 79 of 2008) which transpose Directive 2006/7/EC into Irish Law.

DCC assessed the location against guidance criteria summarised in Table 1. For a full description of the criteria, the reader is referred to the aforementioned EPA's guidance document.

Criteria	Brief Description
Location	<p>Bathing area should be easily and readily accessible to the anticipated number of beach users/bathers without causing environmental damage.</p> <p>NPWS must be consulted where the proposed bathing area is within a designated natural heritage area (i.e. SAC, NHA, SPA, Natura 2000).</p>
Beach Users/Bather Numbers	<p>At least 2 survey days is advised to assess bather usage.</p> <p>Bathers are considered to be anybody interacting with the water, whether physically immersed, actually swimming or simply paddling.</p>
Car Parking/Facilities	<p>The beach should be adequately signposted</p> <p>There should be sufficient car parking facilities</p> <p>Picnic facilities should be considered</p> <p>Toilets should ideally be made available at the beach</p> <p>Adequate litter management facilities should be in place</p> <p>Animal restrictions should be considered</p>

Commercial Impacts	Consideration should be given to whether designation would impact negatively or positively on commercial activities.
Local Community Support	A submission should indicate the extent to which there has been any formal communication with stakeholders most likely affected should the area be designated.
Water Quality	Information on water quality or any potential pollution sources should be provided with the submission where possible. In the absence of information, the local authority should make arrangements to monitor the quality at the proposed location.
Signage/Other Information	Consideration needs to be given to the level and quality of existing signage and the cost of providing additional signage to meet bathing water signage.
Safety	Safety is a key consideration, not only in respect of the management of safe access to the bathing water and overall water safety, but also in respect of issues such as traffic management on access routes or in car parks as well as the safety of Local Authority staff when carrying out water quality monitoring. A formal risk assessment by Water Safety Ireland is strongly encouraged.
Planned infrastructure/WWTP developments	Consideration must be given to the potential positive or negative impacts of any known or proposed environmental, urban, or infrastructural changes on the proposed bathing area.
Costs	Consideration should be given to the costs associated with designation, including management of bathing water quality, installation of signage, safety equipment, lifeguards (where deemed necessary).

Table 1 Criteria for the assessment of new bathing waters

4.2. Overall Assessment

DCC reviews submissions received in line with the EPA guidance document and makes an assessment of the relative strength of each of the 10 criteria.

Each of the above 10 criterion are rated on a scale of 1 to 5, as follows:

- 1 – not suitable/low/expensive
- 5 – very suitable/high/inexpensive

The weighted score is the product of overall rating of each of the criteria (A) multiplied by the weighting factor provided by the EPA (B).

The EPA has proposed that a weighted score of 65 or higher is required for accepting the proposed location as an EU identified bathing area and a score of at least 50 is required for acceptance as an ‘other monitored water.’

However, the EPA has stated that the Local Authority may apply other criteria to the assessment, provided these additional criteria are fully justified.

Factor	Rating (A) (1-5)	Weighting (B) (1-5)	Weighted score (A x B)	Comments
Location	3	3	9	<p>The Half Moon is located approximately 1km from the start of the Great South Wall. It can be accessed by foot or bike.</p> <p>It lies within South Dublin Bay, a designated Special Protection Area, a Special Area of Conservations and a proposed Natural Heritage Area.</p> <p>The NPWS were consulted as part of the assessment process.</p>
Beach users / Bather numbers	3	4	12	<p>This Half Moon is an established bathing location in Dublin City. Bather numbers met the required criteria.</p>
Car Parking / Facilities	3	2	6	<p>Car parks are located at the start of the wall and at the nearby Shelley Banks.</p> <p>Picnic, toilet and waste facilities will be considered.</p>
Commercial impacts	3	1	3	<p>There are no commercial facilities in the vicinity other than a coffee van that opens during the weekend.</p>
Local Support	4	1	4	<p>Consultation with various stakeholders was conducted during the assessment process. The proposed designated was supported locally.</p>
Water Quality	4	5	20	<p>Under the current EPA classification method, water quality would be classified as <i>Excellent</i>.</p>

Signage	3	2	6	Bathing water cabinets exist at the start of the Great South Wall. These cabinets require upgrading to meet designated Bathing Water requirements.
Safety	4	5	20	An independent risk assessment was conducted by Water Safety Ireland at the proposed area for designation. The report took access, condition of existing infrastructure and use of the waters into consideration. Recommendations were implemented by DCC and/or Dublin Port Company.
Planned Developments	3	1	3	There are no known planned developments for the proposed designated area.
Costs	3	3	9	The Half Moon is currently identified as an <i>Other Monitored Water</i> and is sampled at the same frequency as designated waters. Thus, there would be no additional monitoring costs associated with designation. Costs will include upgrading signage and facilities as considered necessary.

Table 2 Assessment of Submission

Overall weighted score	92	The overall score meets the accepted score for acceptance as a designated bathing location.
Deferred pending additional data	Y / N	
Accepted as an EU identified BW	Y / N	
Accepted as 'other monitored water'	Y / N	

Rejected	Y / N	
<p>General summary of the proposal and assessment outcome</p>		<p>The Half Moon is an established bathing location. The location along the Great South Wall is a popular walking location for the general public and tourists alike. Water quality at the Half Moon has been monitored extensively, consistently meeting or exceeding the required standard of Sufficient. Safety recommendations issued by Water Safety Ireland are being actioned by the relevant authorities, and will be in place prior to the 2024 bathing season.</p> <p>Dublin City Council accepts the Half Moon as a designated bathing water from the 2024 season. The EPA have been notified accordingly.</p>


Table 3 Assessment of Submission

Signed: Emma Finlay
 Position: A/ Senior Executive Engineer
 Date: 19/03/24

5. Conclusion and Recommendation

During the 2023 period of public participation, the Half Moon received ten nominations for identification as a designated bathing location. The submissions were assessed in accordance with the EPA guidance document '*A framework to assist Local Authorities in the assessment of submissions for the identification of new bathing waters*'.

The bathing location met the acceptance criteria, and will be formally identified as a designated bathing water by the Environmental Protection Agency from the start of the 2024 bathing season.

Signed: 
James Nolan
Executive Manager (Engineering)

Date: 22nd March 2024

