

EXECUTIVE CABINET

THURSDAY, 18TH JANUARY 2018, 6.30 PM
COUNCIL CHAMBER, TOWN HALL, CHORLEY

I am now able to enclose, for consideration at the above meeting of the Executive Cabinet, the following reports that were unavailable when the agenda was published.

Agenda No	Item	
7	WATER SAFETY POLICY ADOPTION	(Pages 3 - 10)
	Report of Director (Customer and Digital)	

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Water Safety Policy

**Waste and Streetscene Team
Customer and Digital Directorate
January 2018**

1. Introduction

Chorley Council has management responsibility for a significant number of open water bodies. This policy has been prepared to outline the Council's risk based approach to the inspection and maintenance of water bodies on Council owned land.

The benefits of a waters policy are:

- *Reduced risk* – assessing risks associated with areas of water will help create a proactive approach to the management of water safety which seeks to identify and manage any risks before accidents occur;
- *Consistency* – a clear and consistent policy can set out all communications to members of staff who are involved in water safety.
- *Fewer accidents* – creating a policy will help to shed light on hot spots and accident areas which can then be targeted through risk management practices such as education campaigns, public rescue equipment and hazard warning signs.

Many of the Council's water bodies are open to the general public. The Council has a legal responsibility to ensure the water bodies and their immediate surroundings are safe for all visitors: -

“The common duty of care is a duty to take such care as in all the circumstances of the case is reasonable to see that the visitor will be reasonably safe in using the premises for the purposes which he is invited or permitted by the occupier to be there” *Section 2 (2) Occupiers Liability Act 1957*

This means that a certain level of risk is acceptable but that safety measures should be applied where reasonably expected. There must be a risk management, inspection and maintenance procedure to enable the Council to prove it has undertaken all reasonable measures to ensure the safety of its water bodies.

In order to fulfil its duty, the Council will:

- Undertake site specific risk assessments for all water bodies for which it is responsible; these will be reviewed every five years or earlier if there is an incident.
- Ensure risks to the public are minimised to an acceptable level, by provision of good risk management practices where required
- Regularly inspect all water bodies for which it has responsibility, to assess whether they present any unacceptable risks to the public.
- Keep full and accurate records of inspections.
- Report defects for remedial action where required, and ensure these actions are completed in a timely manner and documented.

The water bodies covered by this document are listed in Appendix 1. Site inspections and maintenance are undertaken by Streetscene staff, managed by the Waste and Streetscene Manager; in some instances other teams will carry out inspections for example Astley Hall staff, managed by the Cultural Assets Manager, if the water body is located near their work base.

2. Assessment of Risk & Inspections

Risk assessments, safety inspections and record-keeping will be undertaken by appropriately trained staff from the Streetscene team. Staff will be allocated the water bodies they are responsible for inspecting by the Waste and Streetscene Manager (WSSM). The WSSM will also check the inspection frequency is being fulfilled.

Reactive requests to inspect or deal with defects will be made to the WSSM by e-mail or 'phone call. All reactive requests will be recorded on Sharepoint. Emergency 24hr defects will be repaired by the internal workforce, contractor or alternatively the area made safe.

For a program of water body inspections to be manageable, resources need to be directed to areas where there is potentially most risk. This is initiated by assigning each water body a Risk Category, which is determined by site risk assessments. Site Specific Risk Assessments are included in Appendix 2.

Risk Category	Typical features	Inspection frequency
High Risk	Water bodies regularly and intensively used/visited; immediate access to waters edge; larger water bodies	52 times per year
Medium Risk	Other water bodies in regular but not intensive use/visits; some paths near waters edge	12 times per year
Low Risk	Typically smaller ponds away from footpaths or only lightly visited; may be enclosed by fence/barrier	2 to 4 times per year <i>(include seasonal variation)</i>

The frequency of inspection reflects the designated Risk Category. At high profile, higher public usage sites where the risks are considered to be higher, inspections will take place on a weekly basis. At smaller, less well-used/visited sites, inspections will take place less frequently. Inspection frequency for a particular water body may be reviewed in accordance with any change in circumstances, such as concerns arising from reported incidents or anti-social behaviour, public complaints, or staff feedback.

Explanation of Scoring:

Each assessment criteria is scored 1-5 (low to high risk). Scores are tallied to give a total score of each site. The risk category is assigned based on scores:

<i><10</i>	<i>Low risk</i>
<i>10 – 14</i>	<i>Medium risk</i>
<i>15 +</i>	<i>High risk</i>

The Streetscene teams which include the Ranger service visit parks and open spaces during their daily duties, and will also report any serious defects to the WSSM.

If the Council is notified of an incident at any of its water bodies an inspection to check for defects will be made within 24hr of the initial report.

3. Methodology for Inspections & Maintenance

Staff will inspect the water bodies on foot and record the defects on site on a standard inspection form. An example copy of the standard inspection form can be found in Appendix 3. The Council aims to digitise this process as soon as reasonably practical.

The Items for inspection will include:

- Rescue equipment – present and suitable for use
- Condition of water – visual check of water quality / hazards
- Condition of banks/edges
- Condition of infrastructure – raft, weir, jetty, fence, wall, bench
- Condition of footpaths – trip hazards, erosion
- Condition of trees/vegetation
- Any other notable hazards/defects
- Any evidence of unauthorised entry or use of water

Any defects will be recorded on the inspection form for subsequent remedial action where required. **If there are no defects, this must be recorded.** Defects will fall into three repair categories:

- Category 1– Safety defect within 1 working day. Emergency 24hr defects will be repaired by the internal workforce, contractor or alternatively the area made safe. Defined as a significant risk to public safety; urgent action required.
- Category 2 - Maintenance defect within 7 days. Defined as unacceptable risk to public safety; considered a priority but non-urgent repair.
- Category 3 – Maintenance defect within 1 month. Defined as acceptable risk to public safety but requires some attention/repair.
- Condition Defect – Monitor. Defined as acceptable risk to public safety. No repairs required but condition should be monitored closely upon routine inspection.

The inspector will then file these inspection reports at Streetscene offices, arrange with the WSSM for any necessary repairs to take place and then monitor that repairs have been carried out within the agreed timescales. The form contains a section to confirm when the works are completed. The WSSM will verify that agreed repairs are taking place in a satisfactory and timely manner.

4. Record of Inspection and Maintenance

Records of inspection and maintenance should be centralised, and where possible digitised, for ease of access.

Inspections will be recorded manually and the details of all inspections, recorded defects and remedial action must be kept on paper file at Streetscene offices and/or digitally scanned and held in a folder on the Y: public drive. The Council intends to digitise records as soon as practically and technically feasible. In the event of an insurance claim any officer will have access to these reports.

Records should be retained for at least 7 years. Consideration should be given to the retention of inspection documents for 21 years, in relation to the potential for claims against the council arising from incidents involving young children.

5. Risk Management practices

Hazard identification

When considering the nature of risks associated with water bodies, it is necessary to consider the hazards that are likely to be encountered. In preparing the risk assessment and inspection regime for this policy, the Council has considered the following potential water hazards:

Consideration	Potential hazard / risk
Water temperature	Entering cold water suddenly can lead to cold body shock.
Proximity to/ demarcation of waters edge	Slips/trips/falls near water carry the risk of injury or drowning Sloped banks may cause slips or hidden banks can give a false impression of the water edge
Depth of water	Sheer drops from the edge (or close to the edge e.g. Reservoirs) into deep water is a significant risk.
Unauthorised entry into water	Swimming/bathing in water, jumping/diving into water. Risk of injury and drowning. Hidden dangers: becoming trapped in deep silt/mud; entrapment or injury from fly-tipped objects. Poor water quality/contamination risk to public health through skin exposure or ingestion.
Person on frozen water/thin ice	Risk of injury and drowning from freezing water if ice breaks
Waterside activity e.g. angling, animal rescue	Risk of injury and drowning from falling into or entering water
Alcohol use in vicinity of water	Impairs abilities and can encourage dangerous risk-taking behaviour. Risk of drowning
Currents	Moving water is hazardous and currents may not always be apparent from the bank. Heavy rain and floods can also drastically change the nature of the water body.
Remote locations	Many water bodies are situated in remote locations there may be a lack of immediate assistance available in an emergency

Poor visibility	Many water bodies may not be clearly visible particularly at night in areas without light.
Authorised uses	Where there are authorised uses e.g. angling, any hidden dangers or hazards should be made explicitly clear to the site user.

Use of Byelaws

Chorley Council has several byelaws that prohibit particular water activities. These byelaws are enforced by the Streetscene Rangers and Neighbourhood Officers where applicable and appropriate.

Part 5 Waterways

30. No bathing or swimming

31. No ice skating

33. No boating

34. No fishing except in designated areas

Byelaws are publicly displayed where appropriate or signs refer to where byelaws can be viewed on the Council's website.

Signage

Signs are particularly important to improve awareness of dangers and warn of hazards. There are different types of sign and their use and size depends on site usage and profile.

Access signs – an informative sign/map at the entrances to a site e.g. carpark, or boundary gate, which explains the risks and safety features of the site. This can include information on what to do in an emergency, nearest public phone, general advice and warnings such as “No Swimming” or “Danger – Deep Water”.

Safety signs – should be located at the risk area in a prominent position where the visitor can see, and display key safety messages. The location for these should be strategic with appropriate locations selected.

Accessibility to water

In some instances where the risk of water entry is high, physical barriers may be necessary for example fencing. However this option needs careful consideration. With regards to water safety, there now tends to be less focus on preventing access into water and more focus on ensuring someone can easily get out of the water in the event they enter the water (intentionally or accidentally). The Council places priority on clearly demarcating a water body to prevent accidental entry, but recognises it is not necessarily always practical or feasible to physically prevent deliberate access.

Where the risk of falling into deeper water is considered high, it is suggested that a gentle underwater gradient from the edge is maintained where possible. The shallow water should allow for protection from the deep water. As an alternative to grading where a steep gradient or shallow gradient (swimming temptation) exists, the planting of vegetation on banks can act as a deterrent.

Rescue equipment

Rescue equipment can reduce the consequence of accidental or unauthorised access into the water but is only useful as part of a drowning prevention strategy and not a key risk control measure in itself. The provision of public rescue equipment will need to be identified through the risk assessment process.

Life buoys are often seen by members of the public as a key element in lifesaving. However, they are difficult to use over a distance, rather they invariably serve as a visual reminder of the hazards associated with open water. It is recognised that in spite of their role in rescue attempts and as a warning reminder, life buoys are also subject to repeated vandalism and misuse.

Life buoys are intended to be dropped into the water from a height or thrown a short distance to a casualty who is in the water. In severe winter conditions, the water surface on most lakes and ponds freezes. These conditions significantly reduce the value of life buoys as rescue devices.

In determining the provision of life buoys, particular attention is paid to locations where there have been previous incidents. Where lifebuoys are provided, there must be regular inspection and maintenance.

As an alternative it is suggested that throw lines can be considered. Throw lines are designed to be thrown on the same level e.g. from a bank, and reduce the risk of injury when thrown compared to life buoys.

Water quality

If there is any suspected problem with water quality (discolouration, malodour), or reports of blue-green algae or invasive species, this should be reported to the WSSM for investigation, and possible treatment or mitigation. It is possible additional signage may be required warning of the hazards.

Infrastructure around water bodies

The Council should examine historic records of incidents associated with infrastructure around water bodies, particularly misuse or unauthorised access. This can identify trends and any deficiencies can be addressed. For example, restricting access to or give warning of areas considered unsafe, such as weirs and spillways that are known to be misused.

Rope swings over water should be removed, when safe to do so. Tree boughs/branches that overhang waters and are known to be used by children may be removed at the discretion of the Council.

The Council should inspect and maintain any fencing that is damaged or missing, particularly where this serves a protective or risk management function.

Footpaths are inspected for trip hazards and remedial action is undertaken in accordance with intervention level criteria for repairs (as per car park inspections). Where possible, pathways should be defined away from the water edge to create a distance of vegetation between the two.

Trees around water bodies

The Council has a Tree policy which covers risk management and intervention criteria where trees are deemed to be unsafe.

Supervision

Full time supervision is deemed to be neither reasonably practicable nor the most effective response to a water hazard. During summer months, staff working at larger sites with areas of open water will have special regard to any open water activities taking place. In certain circumstances and when staffing levels and duties permit, Council staff may take a proactive role in preventing access to areas of open water for unauthorised activities such as swimming

Water Safety Promotion

There are 3 campaigns relevant to the local area:

Dying for a Dip (Lancashire Fire & Rescue) – an education package targeted at teens and young adults, delivered in secondary schools and to youth and community groups. Also promoted online, through social media, posters around water sites. <http://www.lancsfirerescue.org.uk/2015/04/dying-for-a-dip-water-safety-campaign/>

Doing it for Dylan – water safety campaign in memory of Dylan Ramsay, who tragically lost his life when swimming in a local quarry site. This has been presented to local primary schools. <https://www.facebook.com/DoingItForDylan/>

Chorley Council Winter and Summer Water Safety briefings to local primary schools, delivered by the Council's Ranger Service as resources permit. Further details provided in Appendix 4

6. Appendices

Appendix 1: List of water bodies owned and managed by Chorley Council.

Appendix 2: Copies of Site Risk Assessments

Appendix 3: Sample copy of Water Inspection form

Appendix 4: Chorley Council Winter and Summer Safety briefings