EXPLANATORY MEMORANDUM TO

Statutory Rule - The Quality of Bathing Water (Amendment) Regulations (NI) 2025

S.R. 2025 No.81

1. Introduction

1.1 This Explanatory Memorandum has been prepared by the Department of Agriculture, Environment and Rural Affairs (the Department) to accompany the Statutory Rule (details above) which is laid before the Northern Ireland Assembly. The Statutory Rule is subject to the negative resolution procedure in the Northern Ireland Assembly.

1.2 The Statutory Rule is made under powers conferred on it by Section 14 of the Retained EU Law (Revocation and Reform) Act 2023.

2. Purpose

2.1 The purpose of this Statutory Rule is to amend to amend Schedule 1 of The Quality of Bathing Water (Amendment) Regulations (Northern Ireland) 2008, (the Principal Regulations) to increase the number of bathing waters from 26 to 33.

3. Background

3.1 An identified bathing water is one which is listed in Schedule 1 of the Regulations, requiring the Department to comply with the provisions of the Regulations in relation to those bathing waters.

3.2 A Bathing Water Review was undertaken in 2022/23 and the review sought nominations for new sites where large numbers of people are bathing, and examined the length of the bathing season, given the growing trend for year-round bathing. The bathing water season in Northern Ireland as 1 June to 15 September.

3.3 The review published in June 2023 concluded that seven new bathing waters should be formally identified in legislation.

3.4 This Statutory Rule amends Schedule 1 of the Principal Regulations to include seven new sites. These are: Brompton Bay (Bangor), Cushendall, Donaghadee, Drain's Bay, Portmuck, Rea's Wood (Antrim) and Warrenpoint. These sites have now been monitored as candidate sites for two full bathing seasons in 2023 and 2024.

4. Equality Impact

4.1. The Equality and Disability Screening exercise was conducted in accordance with the Department's obligations under Section 75 of the Northern Ireland Act 1998. This concluded that there are no impacts linked to religious belief, political opinion, racial group, age, marital status, sexual orientation, men and women, disability, dependants and that a full exercise is not required.

5. Regulatory Impact/Better Regulation

5.1. A Regulatory Impact Assessment concluded that this Statutory Rule does not impose any new regulatory burden and has no impact in terms of costs on businesses, charities, social economy enterprises or voluntary bodies.

6. Financial Implications

6.1. Additional costs relate to the sampling and analysis for the microbiological monitoring for the seven candidate sites at approximately £17,000 per annum.

7. Section 24 of the Northern Ireland Act 1998

7.1. This Statutory Rule complies with the provisions set out in Section 24 of the Northern Ireland Act 1998.

8. EU Implications

8.1 There are no EU implications associated with this Statutory Rule.

9. Parity or Replicatory Measure

9.1. N/A

10. Additional Information

10.1. For further information contact Claire Young (07395368511) or Brendan O'Kane 07753542421 at the Department of Agriculture, Environment and Rural Affairs or e-mail Brendan.OKane@daera-ni.gov.uk