

14 February 2006

Beach Safety

Beach Lifeguard Services

Executive Summary

1. The report summarizes the key points raised at a recent meeting called by the Office of the Deputy Prime Minister (ODPM) and proposes that the SIG helps to facilitate future discussions by endorsing a draft Position Statement for Local Authorities in respect of the provision of Beach Lifeguard Services.

Background

2. The LGA Coastal SIG was represented at a meeting in mid-December 2005 called by the ODPM to discuss issues arising from the provision of beach lifeguard services by local authorities and the RNLI.
3. The meeting, chaired by the Parliamentary Under Secretary for State, Jim Fitzpatrick MP, came about following the Transport Select Committee Report on Search and Rescue, during which concerns were expressed by the RNLI that local authorities were withdrawing from partnership arrangements that had been set up, mainly on the south and south-west coasts to provide beach lifeguard services. The meeting was attended by representatives of the RNLI, RoSPA, the National Beach Safety Council, UK Beach Management Forum, British Resorts Association, Royal Life Saving Society, MCA, Dept of Transport LGA Coastal SIG and a number of local authorities from the SW of England.
4. It was suggested at the meeting that the LGA Coastal SIG could serve as a means of co-ordinating the views of the local authorities concerned in a 'position statement' that could help to facilitate further discussions. This suggestion was supported by all present.

Key issues raised

5. The meeting provided an opportunity for discussions covering a range of issues as summarized below.
6. The RNLI currently provides lifeguard services on 59 public and private beaches. The cost of administering and operating this service is £3.5m per annum, of which some £1m is provided by local authorities. This partnership has been developed over the past 4 years and in the main appears to have operated successfully. Recently however some local authorities have reviewed the arrangements both in terms of cost-effectiveness and the extent of coverage, this being particularly relevant where beaches are in private ownership and the owners are operating a range of income-generating services and facilities. The review of these services has been driven by the need for the local authorities to obtain the maximum public benefit from the available resources. In some cases the conclusion of the reviews have been that local authority funding for the lifeguard services covering privately owned beaches should be cut. Also it was recognised that in most but not all cases partnership arrangements should be formalised and in some circumstances may need to be subjected to a tendering process.
7. The RNLI expressed great concern that where local authority funding is cut there was likelihood that the lifeguard services would be withdrawn unless they, as a charitable organisation, were prepared to cover the financial shortfall. The RNLI requested clarification from Government over where responsibility or liability lay in the event of accidents on beaches.

8. From the local authority perspective, the provision of lifeguarding is a discretionary service and whilst there is an acceptance that, where justified, these services should be provided on local authority-owned beaches, this should not apply to all bathing beaches regardless of ownership. There are serious concerns that in many cases whilst the Council taxpayer was meeting the costs of these services, the benefits were being enjoyed more by visitors than local people. It was also emphasised that lifeguarding is provided as only part of the wider package of local authority beach management services and safety initiatives and should not be viewed in isolation. Local authorities should therefore be allowed to tailor their management responses to meet their particular needs for example by providing lifeguard services 'in house', or by supporting voluntary and/or private services or through a combination of these options.

Draft Position Statement

9. **Responsibility/liability:**
The Coastal Local Authorities would welcome confirmation from Government that local authorities are not the bodies responsible for, or liable for coastal safety and that the provision of lifeguards is a discretionary service. The current position is that local authorities provide beach safety management, including lifeguards, as a discretionary service and whilst there is an acceptance of responsibility for safety on local authority-owned beaches these services are provided in response to an assessment of risks and are proportionate to the risks identified. It is considered important that all owners of beaches, both private and public should be advised to carry out individual risk assessments and be encouraged to act in accordance with the findings of these assessments.
10. **Funding/resources:**
The Coastal Local Authorities would welcome a review of the funding streams available to local authorities to enable beach safety services, including lifeguards, to be financed. In particular a view on the feasibility of increasing Central Government support or introducing a levy on Business Rates in coastal areas is sought. The current position is that the resources required for these services are met by the local community through the payment of council-tax and where partnership arrangements exist part of this resource is provided by charities or voluntary bodies such as the RNLI and local lifeguard clubs. Local authorities are operating in a climate of increasing budgetary constraint and at such times their ability to deliver such discretionary services can be severely curtailed.
11. **Service delivery:**
Subject to clarification of responsibilities and funding issues, the Coastal Local Authorities would wish to maintain a flexible approach to the delivery of beach safety services, formulating their individual responses in the light of risk assessments. Currently Coastal Local Authorities adopt such an approach and this ensures that the beach lifeguard service, where required, is integrated into the wider local authority beach management services & safety initiatives. Beach lifeguard services are provided through a variety of means involving 'in house', voluntary or private services, often in combination. There is a recognition that a standardized Service Contract or Agreement that would clearly specify roles and responsibilities, standards of service and the scope of the provision would conform with financial regulations by allowing the service to be offered for tender if necessary. In this way the Local Authorities could demonstrate value for money.

Conclusion

12. Issues relating to beach lifeguard services have been highlighted in the Transport Select Committee Report on Search and Rescue (25 October 2005). The meeting convened by the ODPM concluded that there was a need to address the matters of responsibility and liability and funding/resources and in this regard a position statement from the Coastal Local Authorities would be welcomed. The above draft position statement has been prepared with input from the representative of the local authorities who attended the meeting.
13. It has since become apparent that a House of Lords Select Committee is examining issues relating to risk management in public and local authorities and had asked ODPM specific questions on the

interpretation and implementation of policy by Local Authorities with particular reference to the risk aspects of beaches. The Select Committee has been informed that the LGA Coastal Issues SIG will be considering the matter at this meeting.

Recommendation:

14. It is recommended that:
 - i the Coastal Issues SIG endorses the draft Position Statement and the Chairman forwards it to the ODPM
 - ii that the Coastal SIG is kept informed of progress in this matter

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