



Tollesbury Parish Council

Notice is hereby given that the virtual Meeting of the WOODUP POOL COMMITTEE will be held on Tuesday 12th April 2022 at Woodup Pool, commencing at 7.00 pm, to which members of the Council are summoned for the transaction of the under-mentioned business.

M. Curtis

Michelle Curtis – Clerk to the Council

6th April 2022

Committee Members

Councillors: Cllr V Chambers, Cllr S Hawes, Cllr T Lowther

Non-voting Members: Andrew Eastham - FACT

THE PRESS AND PUBLIC ARE CORDIALLY INVITED TO ATTEND

Photographing, recording, broadcasting or transmitting the proceedings of a meeting by any means is permitted however the privacy of (i) persons who object to the same and (ii) children and vulnerable adults must be respected by anonymising the identities of such.

AGENDA

1. Apologies for Absence

To receive apologies for absence.

2. Declaration of Interest

Members are reminded that they are required to declare any Disclosable Pecuniary Interests, Other Pecuniary Interests and Non-Pecuniary Interests which they know they might have in items of business on the agenda. They are reminded that they will need to repeat their declarations at the appropriate point in the meeting and leave the room if required under the Code of Conduct. Unforeseen interests must be declared similarly at the appropriate time.

3. Public Forum

Members of the public will be given an opportunity to put forward their question(s) or statement to the Council. The Chairman will, at his discretion, then decide if he is able to answer the question(s) or proposes to put the item on the agenda for the next meeting.

4. Minutes

To confirm Minutes of the Meeting held on 15th February 2022

5. Risk Assessment

5.1 [To receive the report from the risk assessment carried out on 11th March 2022.](#)

5.2 To consider recommendations from the Audit and Risk Assessment report.

6. Portable Toilets

To discuss the arrangements for portable toilets for the season.

7. Emergency Telephone

To discuss the comments from the Parish Councillors Insurers and the Risk Assessor regarding the emergency telephone and consider removing the telephone equipment.

8. Other Matters

To consider any other matters relating to Woodup Pool.

9. Next Meeting

To agree on the date of the next meeting

Clerk: Michelle Curtis

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***TOLLESBURY PARISH COUNCIL
AUDIT AND RISK ASSESSMENT
WOODUP AMENITY POOL***



11TH MARCH 2022

REPORT PREPARED BY

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DIRECTOR - TRAINER - CONSULTANT

LINK INTO LEISURE Ltd

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WOODUP AMENITY POOL

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***TOLLESBURY PARISH COUNCIL
WOODUP AMENITY POOL,
WOODROLFE ROAD,
TOLLESBURY,
ESSEX***

1.0 BRIEF

- 1.1 *Link into Leisure Ltd* were asked to carry out a review of the Risk Assessment report of the pool and its operation dated 10TH FEBRUARY 2020
- 1.2 To assess the improvements made in line with the recommendations of the report and to comment on any changes in legislation since 2020 and the likely effect on Health and Safety issues in operating the facility.
- 1.3 To comment on microbiological results in terms of faecal and total coliforms during the 2020 and 2021 bathing seasons.

2.0 INTRODUCTION

2.1 Link into Leisure visited the pool on 11TH March 2022, when consultant, Mr Jim Thomas, was accompanied on a site visit by Clerk to the Parish Council, Michelle Curtis.

2,2 The pool was not drained as part of the winterisation programme, unfortunately meaning a detailed inspection could not to be carried out,

The improvements made to the facility, recommended in the report 10^h February 2020.

During the period March 2020 and July 2021 the amenity was closed due to Covid-19 pandemic

The pool was emptied to prevent unauthorised swimming by any person wishing to break the rules.

In August 2021 for a limited period the pool was cleaned and refilled allowing swimming once again until the end of September.

No microbiological tested was done by Maldon Distict Council during this time frame.

3.0 CURRENT SITUATION

- 3.1** The pool is administered by the Tollesbury Parish Council. The pool is an amenity pool and is therefore not advertised as a swimming pool and for which no charge is levied on the users for whatever purpose.
- 3.2** The water quality is maintained by emptying and refilling on an incoming tide. No tests were carried out during shut down. Bacteriological tests carried out during the 2018/2019 seasons indicated that the water achieved the standard of the Bathing Water Classification Regulations 1991.
- 3.3** Ideally, bacteriological testing of the water should be carried out three times during the season May – September, with additional tests performed if high levels of coliforms are detected during busy bathing periods.
- 3.4** The Environmental Health Officers of Maldon District Council are responsible for taking the samples to the Health Protection Agency Microbiological Service Food, Water & Environmental Microbiological Laboratory London.
The results should be monitored, and any action required as a result of adverse readings should be acted upon after consultation with the EHO's. The Clerk to the Parish Council should maintain records of the test results for at least 5 years. In addition to the individual test sheets, a summary of the results from 1995 – 2019 was produced showing at a glance the readings during this period, a practice we endorse and recommend should be continued, an example of which is included as Appendix 1 and 2. Note March 2020 – Sept 2021 as **Covid-19 close down** and Start again for 2022 season

3.5 In order to maintain the quality of water in the pool and reduce the risk of viral infections and pathogenic organisms to bathers, regular emptying and filling should take place, at which time, clearance of any items of debris be removed, particularly sharp objects of broken glass, which could pose a risk of injury to bathers.

3.6 In 2008 two new CEN (European Committee for Standardisation)
Standards came into force.
BS EN 15288 2008 - Swimming Pools
Part 1 Safety in Design
Part 2 Safety in Operation

The Standards have NO legislative import in UK law, and arguably fall short of existing UK law in some areas.
However, they should NOT be ignored.

British Standards Institute promulgates CEN as a standard setter, best practice may require compliance and Criminal Courts will consider compliance.
The CEN supplement rather than replace current UK guidance.

The Woodup Amenity Pool falls into Type 1 category where use is open to everyone irrespective of whether an entrance fee is paid.

The Standard includes requirements which are mandatory and recommendations which indicate best practice.

3.6 Cont. In carrying out the 2022 Risk Assessment of the pool Link into Leisure Ltd examined all aspects of pool operation

including layout – safe entrances and slopes, safety signage/information, type of pool, access and egress, water depths, control methods to prevent unauthorised admission during the empty and fill process.

In all aspects the Pool complies fully with current guidance as laid down by the CEN Standards.

3.7 SWIMMING POOL WATER TREATMENT AND QUALITY STANDARDS FOR POOLS AND SPAS

In November 2017 the Pool Water Treatment Advisory Group (PWTAG) As amended by code of practice July 2021, produced the forth edition of the above publication fully revised with additional chapters on water treatment.

In December 2003 PWTAG and the British Standards Institution translated “Swimming Pool Water” into a Code of Practice Publicly Available Specification – PAS 39.

This standard is the yardstick by which the water treatment of pools is judged within the industry. The inspection and review has considered any changes which may affect the way in which the Parish Council operates the facility at Woodup Pool. Where any changes are applicable these have been incorporated under Section 9.0 of the report.

4.0 SITE INSPECTION

- 4.1 The Health & Safety at Work Act 1974 and the Management of Health & Safety at Work Regulations 1999, places responsibility on the pool operator to conduct the undertaking in such a way as to ensure, so far as is reasonably practicable, that he/she does not expose any person to risks to their health and safety.
- 4.2 A full and detailed inspection of the site, including its environs, took place with emphasis on any items which could cause harm or constitute a trip or slip hazard.
- 4.3 The access approaches from the roadside and beach area were inspected with no defects and the perimeter walk around the pool, which is a mixture of grass and concrete pathways, is free of obstruction and in good condition...
- 4.4 The pool profile has a gentle gradient from the sandy beach area to the deeper water, near the sluice. The beach area has gradually been extended by introducing fresh sand each season, which has had a positive effect on the clarity of the water in this area, a practise we endorse. There was evidence of dog fouling on the beach shoreline and during the season this area should be regularly checked as part of the litter patrol routine and any faeces removed, as this can, together with faecal material from other animals and birds, be a source of adverse E. coli readings in the pool.

- 4.5 The Emergency telephone was tested by listening for the dialing tone and **found NOT to be in good order.**
As a matter of urgency, this needs to be rectified..and repair undertaken
inspections should be recorded on the pool safety check sheet –
Appendix 3.
- 4.6 The three rescue lifebuoys were checked found to be in good condition, fit for purpose. Housings need repair. We understand that during the season, these items are regularly inspected and their condition noted on the pool safety check sheet – a practise we endorse.
- 4.7 Prior to the inspection, our consultant asked to see the Accident/Incident report forms used by the Parish Council.
The form records all relevant details and complies with best practice for reporting and recording procedures, under Health and Safety Legislation - Appendix 4.
It was noted that during the 2021 season no accident/incident reported to the Parish Council.

5.0 HEALTH AND SAFETY ISSUES

5.1 Prior to the opening of the pool each season, the pool bottom is cleared of debris. Fresh sand is introduced to the beach area, which has improved the gradient of this area and created a shallow water access point for bathers. There are, however, potential hazards which are identified under the headings of Physical Hazards, Environmental Hazards and People Hazards.

5.2 Physical Hazards

- Debris thrown into the water overnight, which creates a hazard and may be difficult to see due to the water clarity of the pool. Improvements in security have taken place such as fencing the pool to reduce access.
- The depth marker signage is in the pool itself to assist in the identification of the depth at that point. The three markers distributed in the pool are staggered to provide clear indication to bathers of actual depth and depth variation.
- The bottom of the pool in the beach area has been profiled by the addition of sand. During periods of heavy rainfall, sand is likely to be washed down into the pool and the profile may change slightly.

5.3 Environmental Hazards

- Water clarity is subject to the turbidity of the river Blackwater, which is used to fill the pool. The deeper the water the worse the clarity becomes, clarity will also deteriorate during heavy bathing periods as the bathers disturb the sand and silt on the bottom of the pool.
- The pool water is not chemically treated to destroy potentially harmful organisms.
- Solar glare creating specular reflection from the water can make it difficult to see into the pool.
- Overcast weather can reduce visibility.
- Electrical storms – risk of lightning strikes

- Algal blooms can occur creating areas of algal growth. Algae is a cellular plant which occurs in a variety of different species. Although most species are harmless to humans, blue-green algae can release toxins which give intestinal pain in humans. Regular emptying of the pool should reduce the risk of algae growth, however, if algal blooms persist, discussions with the Environment Agency should take place in the first instance.
- Variation of water level. The pool water level is subject to evaporation and rainfall gain. The staggered depth markers provide an indication of the water depth in the pool.
- Heat stroke and heat exhaustion.

5.4 People Hazards

- Weak or non-swimmers unknowingly getting out of their depth. In addition to the depth marking posts located in the pool, signs stating “Shallow End,” have been produced and affixed to the fencing either side of the pool.
- Children playing in the pool unsupervised by an adult. Children under 16 years should be accompanied by an adult. Safety signage provides a warning against allowing children to access the pool unsupervised.
- Bathers who are at risk from the effects of hypothermia or extreme cold which can occur during windy conditions. The wind chill factor could bring on the effects of hypothermia to people in poor health, the elderly or the very young.

- People under the influence of alcohol or drugs.
- Those who appear either nervous or timid.
- Diving into the pool from the beach area or around the sides, which is strictly prohibited, as indicated by the many signs around the pool. Risk of spinal injury.
- Unauthorised use of inflatable's.

Leptospira – Since the 2012 report a new activity has been introduced at the pool namely Kayaking.

This involves canoes where regular training sessions take place to teach individuals how to safely handle the equipment.

Leptospira – these are bacteria excreted in rat urine and can cause Weil's disease (a form of hepatitis).

The transmission of the bacteria is on the Kayaks themselves if such equipment is used in outdoor recreational water areas like rivers, reservoirs, ponds, lakes and the equipment are not thoroughly cleansed by power washing before being introduced to the Amenity pool.

The Kayak club should be informed again of the possibility of bringing the bacteria into the pool via inadequate cleansing and take precautions to prevent this from happening.

6.0 INSURANCE – PUBLIC LIABILITY

6.1 As part of our review and risk assessment of the Amenity Pool, we have been asked to evaluate the conditions of cover under Section 1 Part A of the Public Liability Policy, as it affects the operation of the pool. It is noted that since the last review in 2020 there have been no changes to the conditions of cover under the insurance policy.

6.2. It was suggested by Pen Underwriting Ltd the insurance company that a risk assessment should take place to assess the improvements at the pool in the light of changing legislation. In offering advice and guidance, this takes into account best practice from the following:

- The Health and Safety at Work Act 1974 (where applicable).
- The Management of Health and Safety in Swimming Pools (HSE) publication. HSG179 4th Edition – February 2018
- CEN (European Committee for Standardisation) Standards BS EN 15288 - 2008.
- British Standards Institute publicly available Specification (PAS 39) A Code of Practice.
- The Bathing Water (Classification) Regulations 1991.
- “Safety on British Beaches” Operational Guidelines by ROSPA and RLSS.

6.0 cont.

- 6.3** The conditions of the policy offer standard cover for the Parish Council's facilities as a whole; there are no exclusions to the policy in respect of the Amenity Pool or its environs.

- 6.4** The Management of Health and Safety in Swimming Pools states under the control of admissions, that 3sq.metres/bather of water is required in determining the maximum number of bathers allowed. The maximum permitted number of persons is clearly stated on the Safety Information signs.

- 6.5** The review for 2020 has considered requirements from the insurance company and finds that the operation of the Amenity Pool fully complies in all aspects.

7.0 IMPROVEMENTS FOR 2022 SEASON

As the facility has open access, under Health and Safety legislation, the Parish Council have a duty of care to maintain this area in a safe condition always.

An initial inspection by our consultant found the amenity area to be clean, tidy and the environs free from obstruction.

7.1

Marina fencing “Deep End” of pool Donations Box



7.2

Marina fencing Tidal Flood Warning notice for vehicles.



7.3

BT Emergency Telephone **NO DIALING TONE – NEEDS
REPAIR/REPLACEMENT and/or REMOVAL ?**



7.4

“Bathe at your own Risk” sign (Marina End) – Rub down repaint etc.,



7.5

Woodup Pool access and safety sign – Rub down repaint/ clean up



7.6

DeepEnd Pool full of Water



7.7

Access and Egress steps – require cleaning



7.8

No 2 Lifebelt station flashing /woodwork – requires rebuild



7.9

Marina side fencing needs reinforcing



7.10

Gap between No 3 Lifebelt station and bench seat – Potential site for
“Porta Loos”



7.11

Marina End “Bathe at your own risk” sign



7.12

Overgrown brambles Marina End -
all need cutting back /down and removing



7.13

Location of Old BBQ Units – New BBQ's to be positioned here.



7.14

Sandy Beach area – Shallow end – needs cleaning and top up of new sand.



7.15

Shallow end access steps – All vegetation on the steps and around needs cutting back/down and removing.



7.16

Shallow end notice board Woodrup pool



7.17

Fencing (Froston Drake) - wind damage to fencing panels



7.18

“Bathe at your own risk” sign - Requires rub down clean and repaint.



7.19

Depth Markers 3 in total – all 3 require clean and repaint



7.20

Life Belt station - deep end - Needs repair and repaint or replacing



7.21

Sluice gate danger sign new Sluice gate installed 2021.



8.0 Record keeping

Using the Pool Safety Check Sheet and the Accident/Incident form comply with best practice under the Health and Safety Legislation guidance offered in the British Standard Institute Publicly Available Specification (PAS39) code of practice.

The Parish Council at a meeting in July 2004 minuted that, during the season, weekly inspections of the amenity pool should take place and any findings be recorded in the comments section to assist in any investigation which may follow an incident, by the relevant authorities.

9.0 FAECAL COLIFORM AND TOTAL COLIFORM RESULTS FOR THE 2021 SEASONS

- 9.1** The water sample results supplied by the Environmental Health Department of Maldon District Council were analysed, resulting in the following comments:

2020 Season DUE TO COVID-19 THE POOL WAS CLOSED.

Microbiological testing of swimming pool water is a monthly requirement if complying with the guidance contained in both “Pool Water Treatment and Quality Standards” and “B.S.I Publicly Available Specification – PAS39 Code of Practice” is to be achieved. However, having reviewed the past records for the pool, I believe tests taken three times during the season will suffice with additional tests required if high levels of coliforms exist.

It is essential to record all test results in the tabled sheet to identify the exact water quality conditions during the season.

9.2 2021 Season

It was noted that during the 2021 season water samples for bacteriological testing were taken in August.
The tests results were satisfactory under the Bathing Waters Classification Regulations 2008.

It is noted that, in all test results, reference by the Environmental Health Officer, Maldon District Council, is made to comparison with “Swimming Pool Water Quality Standards.” The Amenity Pool is not classed as a traditional swimming pool with disinfection and circulation systems and therefore these standards do not apply.

The Amenity pool at Tollesbury operates under different parameters most notably, the absence of continuous filtration and regular disinfection, in favour of an “empty and fill” system, using sea water from the Blackwater estuary. The water quality standards used in this respect are the E.C. Bathing Water Directive Set Criteria for designated bathing waters.

Under the E.C. Bathing Water Directive, eleven physical, chemical and microbiological parameters are measured, including total and faecal coliforms. The Directive sets mandatory standards for many of the parameters. The mandatory limit value for total coliforms is 10,000/100ml and for faecal coliforms is 2,000/100ml – Appendix 5. In this regard, we concur with the views expressed on this subject in Mr John Daniels (Environment Agency), letter to the Parish Clerk, dated 27th September 2005.

“In the case of the coliform results for the Amenity pool, the microbiological quality of the bathing water can be affected by diffuse pollution from agricultural and urban sources, discharge of sewage effluent, storm water overflows and river borne pathogens.

9.3 Enterococci

Enterococci are commonly found in faeces of humans and other warm-blooded animals.

Enterococci in water is an indication of faecal pollution and the possible presence of enteric pathogens.

The absence of identifiable sources of contamination brought into question the reliability of the present indicator organism *Escherichia Coli*.

Enterococci have been suggested as an alternative to *E.Coli* for bathing water monitoring due to their direct correlation to swimmer associated gastroenteritis.

Hence during the 2012 and 2013 seasons Health Protection Agency London introduced the enterococci test alongside the *E.Coli* test in the Amenity pool sampling.

9.4

Environment Agency.

Bathing waters in England have to meet stricter water quality targets 2015 under the revised bathing water directive.

The new European Directive uses a four-year sampling assessment.

The first classification under the revised bathing water directive will be given at the end of the 2015 bathing water season.

This will use data from the 2012, 2013, 2014, 2015, 2016, 2017, 2018 AND 2019 bathing seasons.

The new classes are:

Excellent

Good

Sufficient

Poor

From 2016 Local Authorities will also have to display the classification of the bathing water quality.

The Environment Agency will tell the Local Authority what their bathing water classification is at the end of the 2015 bathing water season, based on the revised Bathing Water Directive.

As a Local Authority which controls bathing water you have responsibilities under the Bathing Water Regulations.

The bathing water Regulation 2013 introduced legalisation which replaced The Bathing Water (CLASSIFICATION) Regulations 1991 and The Bathing Water (CLASSIFICATIONS) Regulations 2003 (a).

In the Water Environment (Water Framework Directive) England and Wales Regulations 2003 the definition in Schedule 1 of the Water Framework Directive identifies the classification of water as Follows -

“Body of Surface Water”

Means a lake, reservoir, stream, river or canal.

“Coastal Water”

Means surface water up to one nautical mile on the landward side leading up to the seaward side.

“Ground Water”

Means all water below the surface of the ground in the saturation zone.

“Inland Water”

Means all standing and flowing water on the surface of the land.

Every bathing water profile must –

- A Contain a description of the Physical, Geographical and Hydrological characteristics of**
 - i) The bathing water; and**
 - ii) Any other surface water in the catchment area of the bathing water, where the surface water could be a source of pollutants for the bathing water.**
- B Identify and assess the causes of pollutants that might affect bathing water quality and pose a threat to bather’s health.**
- C At Woodup Pool the two forms of bacteria which could exist are **INTESTINAL ENTEROCOCCI** and **ESCHERICHIA COLI** both of which are tested for by Malden District Council Environmental Health Officers when routine sampling takes place in the microbiological laboratory – London.**

**Under schedule 2 – Part 1 - Surface waters in England
WOODUP pool is NOT listed in their schedule of inspections
Therefore, it remains outside the Regulations and the Bathing Water Regulations 2013 DO NOT APPLY.**

To summarise,

The levels reported for coliforms in the 2021 period are low under the E.C. Bathing Water Directive, however, any reading of E coli is undesirable and the awareness campaign should be continued in and around the pool area for prohibiting dogs, the marina operators for any unhygienic practices by boat owners, i.e. emptying of chemical toilets into the estuary, etc, and the Environment Agency controlling the level of pollution entering the Blackwater estuary.

Given this additional information, it seems likely that faecal contamination comes from animals and birds, particularly during the early part of the season and estuary pollution during August will be a contributing factor as well as the level of pollution from bathers, due to the absence of any pre-cleanse facilities on site.

10.0 RECOMMENDATIONS

**The following recommendations
have been made after our
site visit and risk assessment.**

10.1 The BT emergency telephone was found not to be working. Having checked the requirements with Pen Underwriting Ltd (Council Insurance) which states there is no requirement in relation to providing a telephone poolside – Therefore it is my opinion that the unit be removed which would save the Parish Council money - as soon as it is possible. Notices should be displayed Stating in an emergency call 999 using a mobile phone.

10.2 Marina side “Bathe at your own risk” sign needs Graffiti removing cleaned up and repainted.

10.3 Marina side “Woodup Pool” access and safety sign needs graffiti removed and cleaned up and repainted.

10.4 The Pool was full of water at the time of our visit. The next time the pool is emptied a thorough inspection needs to be carried out. **Refer to 7.2 in the 2020 report.**

The whole of the bottom of the pool and sides needs to be checked and inspected for sharp or dangerous objects and any found must be removed to prevent injury to bathers. This must be carried out each time the pool is emptied and filled. Also, a visual check at each patrol.

10.5 All warning notice boards need cleaning and repainting attention is needed especially behind Perspex coverings.

10.6 Access steps need all vegetation removing/cutting back of brambles etc., and a good pressure wash before start of season.

recommendations continued 10.0

10.7 No 2 Lifebelt station Marina side needs repairs carried out to the housing using marine ply and repainted.

10.8 Deep water marker posts (3) clean flaking areas remove rust and repaint.

10.9 Marina side fencing needs to be reinforced.

10.10 Discussions took place about the possible resiting of the porta loos
A possible new site could be the gap along the fence Marina side opposite the BBQ site.

10.11 “Bathe at your own risk” sign Marina side needs repainting

10.12 Overgrown brambles weeds and nettles need treatment and cutting down and removal from site.

10.13 Site location of new BBQ’s on the concrete slab for the new season 2022.

10.14 Sandy beach area shallow end of pool needs to be cleared of all rubbish.dog poo clumps of grass etc., and new sand laid down.

10.15 The access board and safety plan board Froston Drake side of pool needs fencing panel replaced due to wind damage (**See 7.5 2020 report**)

10.16 No 3 Lifebelt deep end fencing panel needs woodwork treating and repainting

11.0 CONCLUSIONS

- 11.1. The brief for Link into Leisure Ltd., was to carry out a review of the risk assessment of 10th February 2020 and to make comment on the improvements to the recommendations within the report, as they relate to Health and Safety issues associated with the operation of Woodup Pool.
- 11.2 Further review should take account of the changes in legislation since 2012 and their affect on Health & Safety issues at this amenity.
- 11.3 The risk assessment has considered current legislation and best practice guidance from the sources detailed in paragraph 6.2 of the report and on all counts meets the guidance and regulations for operating an amenity facility of this nature.
- 11.4 To comply fully with latest best practice in the legislation, attention must be paid to the reporting and recording procedures, in writing, for incidents, accidents, hazards, microbiological testing of water samples, etc.
- 11.5 Finally, the writer would like to take this opportunity to record his thanks for all the help and advice given by the Clerk to the Parish Council, Mrs Michelle Curtis.

.....

DATED 4TH April 2022

A J THOMAS M.ISPE M. PWTAG
CONSULTANT

APPENDIX 1

Bacteriological Test Results 2018 - 2021

**NO TEST RESULTS –
due to covid – 19 shutdown**

**3RD August 2021 and 19th August 2021 as
satisfactory.**

**Test results shown in Appendix 2 summary
test results sheet**

APPENDIX 2

1995 – 2021 Summary Test Results Sheet

APPENDIX 3

Example of Pool Safety Check Sheet

APPENDIX 4

Accident/Incident Report Form

**POOL WAS CLOSED DUE TO COVID-19
UNTIL JULY 2021**

**AUGUST – SEPTEMBER POOL WAS
OPEN – NO ACCIDENTS OR INCIDENTS
RECORDED.**

APPENDIX 5

Bathing Water Classification Regulations 1991