

EXECUTIVE – 4 March 2010**BEACH AND WATER SAFETY – HOPE COVE****Report of Head of Service Salcombe Harbour**

Statutory Powers: These are numerous and relate to safety and environmental controls. There is currently no statutory requirement to provide beach lifeguards.

Financial Implications: The recommendation is based on the service continuing to be provided at no cost as proposed by the RNLI.

Purpose

This report has been raised as a direct response to an offer from the RNLI to provide a beach lifeguard service at Hope Cove Outer for a second consecutive year. It outlines the issues surrounding beach safety at Hope Cove and proposes a way forward.

This report supports South Hams objectives of retention of the district's character (CP3) and value for money (CP6).

RECOMMENDATIONS**That the Executive resolves to:**

- a. **accept the RNLI's offer to provide a free beach lifeguard service at Hope Cove Outer, subject to a commitment from the RNLI that a free service is sustainable in the medium term and that such provision will enhance the overall level of beach safety.**
- b. **Respond to the MCA consultation on the future of the MCA rescue boat by not supporting the removal of the boat from Hope Cove.**

Background

1. During the late summer of 2008, the Maritime Coastguard Agency (MCA) withdrew the MCA rescue boat from Hope Cove. This decision was extremely unpopular with the residents of Hope Cove and a campaign, involving the local MP, was started to get the MCA rescue boat reinstated. The campaign was partially successful in that the rescue boat was deployed for the Easter holiday period, but its long term future has not been resolved.
2. In 2009 the RNLI offered a life guarding service for the High Season at Hope Cove, free of charge to the Council. This offer was accepted on the proviso that this free service was maintainable in the medium term and that the offer did not prejudice the future of the MCA Rescue Boat.
3. The RNLI have offered the Beach Life Guarding service again for 2010. During the 2 months the service was provided in 2009 the RNLI reported 13 incidents and most importantly one life saved. The RNLI's monthly reports are at Enclosure 1 and 2.

4. The MCA are conducting a consultation on search and rescue provision in the southern part of the South West Peninsular, in particular the removal of the MCA boat at Hope Cove and Tamar. In the interests of reducing the Council's carbon footprint the full version of the MCA consultation document is available as a background document, however for ease of reference the document's conclusion page has been appended to this report at Enclosure 3.
5. A Beach and Water safety Task and Finish group has been established to consider Council Policy regarding Beach and Water safety issues, this group has not yet completed its work and as such has not yet reported to Executive.

Issues

6. The RNLI beach lifeguard service at Hope Cove in 2009 was a success, but there is still local resistance to the provision of this service. There is a belief that the provision of the MCA boat and the RNLI's offer of a free service are intrinsically linked. The MCA are conducting a consultation, closing date 6 April, which is considering the nature of the maritime-related public safety risks around the Southern Part of the South West Peninsular, the adequacy of the range of rescue services available to deal with them if the additional MCA boats at Hope Cove and Tamar are removed from service.
7. The MCA's consultation document makes an assumption that the RNLI will provide the lifeguard service at Hope Cove during 2010. The Executive, in 2009 resolved:
 1. That the RNLI's offer to provide a free beach lifeguard service at Hope Cove Outer be accepted for a 12 month period;
 2. That such provision was part of a general commitment to enhance the overall level of local beach and water safety, including the retention of the coast guard boat; and,
 3. That the Beach Management task and finish Group review the situation following the peak summer season.
8. The RNLI have offered the service again for 2010, the MCA consultation is looking to gain a consensus for the removal of the Hope Cove Boat and the Beach management Group have discussed the situation regarding the continuation of the RNLI service but have not as yet reported their conclusions.
9. Should the District Council agree to the RNLI service again in 2010, there is a contention that the land used to site the RNLI watch cabin in 2009 is not in District Council ownership. Property Services have confirmed that the land adjacent to the Hope & Anchor is registered to the Council, however the Council is currently defending an application from the owner of the adjoining car park who believes the land has been incorrectly registered to the Council.
10. The Council is not the registered landowner of the beach at Outer Hope Cove and the ownership of the top of the beach is unknown, the owner of the lower beach is Crown Estates. Crown Estates are give permission again for the service on their beach. The beach at Inner Hope Cove is owned by the Hope Cove Harbour Commissioners.

11. Although the RNLI have offered the service without charge again for the 2010 season, there is the likelihood of a request for financial commitment at some stage in the future.

Way Forward

12. It is recommended that The Executive accepts the RNLI's offer of a free of charge life guard service at Hope Cove for 2010, for one year only.
13. That the Beach Management task and finish group make a recommendation on the future of this service beyond 2010.
14. SHDC respond to the MCA's consultation on the future of their boat at Hope Cove, supporting its continued existence, draft at enclosure 4.
15. Officers resolve the land ownership issue surrounding the land at the entrance to the private car park, in the interim this land should be used as Council land.
16. Property Services commence formal talks with the RNLI to re-negotiate the Provision of Life Guarding Services Contract; the current contract expires in 2011.

Risk Assessment

Opportunity	Issues / Obstacles	Benefits
<p>The RNLI have offered to provide a beach lifeguard service at Hope Cove Outer to SHDC free of charge for the 2010 season.</p>	<p>SHDC is not the land owner and as such has no responsibility for providing a lifeguard service. The land used to locate the RNLI watch hut is Council land, but the ownership is being challenged.</p> <p>There is currently no statutory requirement to provide a beach lifeguard service.</p> <p>The provision of the RNLI beach lifeguard service should be an enhancement to beach and water safety provided in tandem with the MCA Hope Cove Rescue Boat.</p> <p>SHDC may become liable for the cost of the lifeguard service in subsequent years.</p> <p>Should the Council decide to discontinue this service in the future the Council could come under criticism, especially if there is an accident or fatality.</p>	<p>A coherent rescue service will be provided along the South Hams Coast by the RNLI beach lifeguards and RNLI lifeboats.</p> <p>The RNLI service should be provided as a further enhancement to beach and water safety, in combination with the coast guard rescue boat.</p>

Conclusion

17. Having taken all of the known factors into consideration, it is recommended that SHDC accept the RNLI's offer to provide a beach lifeguard service at Hope Cove Outer for the 2010 season, the Council respond to the MCA consultation supporting the continued availability of the MCA boat at Hope Cove and that contract negotiations are commenced for the RNLI contract beyond 2011, providing the beach and adjacent land ownership issues can be resolved.

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Head of Service Salcombe Harbour

Executive
4 March 2010

Enclosures:

1. RNLI Lifeguard Reported actions for July 2009.
2. RNLI Lifeguard Reported actions for August 2009.
3. Conclusion to MCA Consultation Document on Search and Rescue Provision in the Southern part of the South West Peninsular. (Full document available as a background document).
4. Draft response to MCA Consultation.

Background Documents:

1. RNLI letter dated 6 Jan 2010, offering Beach Lifeguard Service at Hope Cove Outer.
2. MCA letter dated 11 January 2010, requesting input to consultation on the future of the MCA boat at Hope Cove.
3. MCA Consultation Document on Search and Rescue Provision in the Southern part of the South West Peninsular.