
SCOTTISH STATUTORY INSTRUMENTS

2008 No. 170

The Bathing Waters (Scotland) Regulations 2008

PART 6

MANAGEMENT OF BATHING WATERS

Management measures at bathing waters affected by other pollution

- 16.**—(1) This regulation applies where an interested party is aware of pollution which—
- (a) takes the form of tarry residues, glass, plastic, rubber or any waste; and
 - (b) is of such an amount as to require remedial and restorative measures to be undertaken to a bathing water.
- (2) In determining the amount of pollution that requires remedial or restorative measures under paragraph (1) the interested parties must take into account whether it presents a risk to bathers' health.
- (3) The interested party must notify the existence of the pollution to—
- (a) the other interested parties;
 - (b) the person with proprietorial interest in the bathing water; and
 - (c) where the bathing water or any part of it forms part of a European site or of land which is a SSSI, SNH.
- (4) Subject to the provisions of any enactment relative to the protection of European sites or land which is a SSSI, the relevant local authority must take such action as is necessary in order to remedy or mitigate the effect of the pollution within 7 days of becoming aware of it.
- (5) When complying with its obligations under paragraph (4), a local authority must give reasonable notice to the owner of the land—
- (a) upon which it requires to carry out remedial or restorative measures; or
 - (b) that it requires to cross in order to carry out such works.