



Media Release

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PADDLING POOLS

Harrogate Borough Council is issuing this statement following the intervention by a local MP regarding its three paddling pools

It is normal for Members of Parliament, when speaking to government bodies on behalf of the council, to first seek a briefing from the council's professional officers. This was not the case regarding the paddling pools and it seems that either Mr Willis has misunderstood what the HSE has said or he has been misinformed.

He has issued a press release in which he states that he has received assurances from the HSE that Harrogate Borough Council does not have to follow their guidance and provide expensive filtration systems.

The officers have now been given a copy of what appears to be the information made available to Mr Willis but it includes no assurances at all. In fact, the council is still waiting for a reply to the Chief Executive's letter seeking clarification from the HSE. Their latest press statement, however, shows that they are now acknowledging that the guidance is there to help people 'comply with the law', which is a clear acceptance that it has evidential value in the courts. It recommends carrying out a risk assessment, which the officers have already done and which was included in the report. It was carried out in accordance with HSE methodology and appears to demonstrate that to be compliant the council must guard against water-borne infections by providing filtration systems.

The fact is that it is the current advice from the HSE and other approved bodies which is causing the problem.

The council can also confirm that it did not decide to close the pools because of any need to cut budgets. Any provision for filtration would have been an additional capital cost and would have had to be funded by an increase in council tax or reduction in service elsewhere. Put more simply, the council has never previously found it necessary to provide filtration so no provision has ever been made in the budget, there was therefore nothing to cut.

Mr Walsh said: “If we get clarification and assurance from the HSE that it is not necessary to have expensive filtration, then I will be asking the council to look again. But professional and legal advice clearly indicates that unless the guidance is modified all councils are in an untenable position in the event of any action following an infection unless they have provided a filtration system.

“What we would really like from the HSE is for them to confirm that filtration is merely one option and not “a strong recommendation” and that hand dosing is therefore acceptable despite what it said in HSG179 paragraph 391.”

The council has also entirely refuted the charge that it acted hastily – it referred at length to the HSE guidance (HSG179), to the Institute of Sport and Recreation Management guidance, to the Pool Treatment Advisory Group, to the Control of Substances Hazardous to Health Regulations and its own Health and Safety Adviser contacted both the local office and the industrial group of the HSE in Glasgow. It also referred to legal advice.

The report to council was itself 38 pages long quoting at length from all the guidance available.

Other councils have already closed paddling pools because of industry guidance (including for example, Dacorum, Chester and Skegness) and others are now waiting to see the outcome of Harrogate’s discussions with the HSE. ENDS