

**Teignbridge District Council
Executive Committee
4th January 2024
Part i**

Report Title

Provision of RNLI Lifeguard service

Purpose of report

To seek approval for the renewal of the RNLI lifeguard provision based on a 5 year contract for Teignmouth and Dawlish Warren beaches.

Recommendation(s)

The Executive Approves:

- (1) the continuation of the RNLI lifeguard service based on a 5 year contract.
- (2) the cost of the RNLI lifeguard service for 5 years based on an annual increase of 2.5% and RPI. In 2023 the cost of the service was £50,046.

Financial Implications

In addition to the contract costs there is a one-off payment of £7,840 to relocate the shore-based facilities to two containers in the lower point car park as previously agreed at Executive 3rd October 2023

There is also an annual cost of around £5000 for approximately 20 car park permits for the lifeguards which is part of the contract. The full financial implications are detailed in 2.1 below.

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Legal Implications

As detailed at paragraph 2.2 below.

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Risk Assessment

As detailed in Section 2.3 below.

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Environmental/ Climate Change Implications

Please refer to section 2.4. below.

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Appendices/background papers

Appendix 1- Number of RNLI incidents

Appendix 2 – RNLI Safety Assessment

1. Introduction/background

1.1 The RNLI has provided a lifeguard service on the beaches of Teignmouth and Dawlish Warren for 15 years. This is a service that cannot be provided in-house. We have previously had a 5 year contract with the RNLI for a lifeguard service on our beaches. In 2023 a one year service level agreement was put in place whilst the RNLI reviewed their contracts. We are seeking a recommendation that we continue the RNLI lifeguard service by agreeing a 5 year contract from May 2024. Please see the Appendix 1 for details of the number and type of incidents that the RNLI have dealt with over the past few years.

1.2 Details of the provisional lifeguard service dates for 2024.

Name and brief description of each beach in respect of which Services are to be provided

Dawlish Warren: Saturday 25/05/2024 - Sunday 01/09/2024

Lifeguard service opens for May half term from Saturday 25/05/2024 until Sunday 02/06/2024, 3 lifeguards. Close.
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Lifeguard service opens for weekends only from Saturday 08/06/2024 until Sunday 30/06/2024, 3 lifeguards. Close.
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Lifeguard service opens seven days a week from Saturday 06/07/2024 until Sunday 01/09/2024, 3 lifeguards. Close. End of service.
All patrols 1000-1800

Teignmouth (Main): Saturday 25/05/2024 - Sunday 01/09/2024
Lifeguard service opens seven days a week from Saturday 25/05/2024 until Friday 05/07/2024, 3 lifeguards.
Lifeguard service continues seven days a week from Saturday 06/07/2024 until Sunday 01/09/2024, 2 lifeguards. Close. End of service.
All patrols 1000-1800

Teignmouth (Outpost): Saturday 06/07/2024 - Sunday 01/09/2024
Lifeguard service opens seven days a week from Saturday 06/07/2024 until Sunday 01/09/2024, 2 lifeguards. Close. End of service.
All patrols 1000-1800

1.3 Teignbridge will support the following fundraising for the RNLI.

- The RNLI carrying out Face-to-face fundraising (seeking to sign up individuals to make regular donations by direct debit or standing order).
- The RNLI providing collection boxes for collection of cash donations.
- Competitions to raise awareness of the lifeguard service and the RNLI, or to encourage individuals to receive information on the RNLI, in return for entry into a prize competition.
- Delivery of beach safety messages to beach users e.g. “Swim between the flags” and “always swim at a Lifeguarded beach” or handing out promotional items e.g. free sachets of sun cream to promote sun safety.

1.4 We have been working with our Procurement Officer to carry out some soft market testing to see if nationally there is another provider that could carry out a lifeguard service. There was no interest from any other providers, including local volunteer surf lifesaving clubs, therefore officers have proceeded with the RNLI as the only provider that can meet our criteria to provide a lifeguard service in Teignbridge. As the RNLI are the only provider and the cost of the service over 5 years exceeds the VEAT threshold in conjunction with the Procurement officer a Voluntary Ex Ante Transparency Notice (VEAT) process will need to be undertaken. This provides retrospective notice through the OJEU process of a decision to award a contract to a provider without competition.

1.5. By providing a lifeguard service on our beaches in Teignbridge we are also supporting the UK Drowning prevention strategy. This strategy was developed by the National Water Safety Forum and the aim is to reduce accidental drowning fatalities in the UK by 50% by 2026 and reduce risk amongst the highest risk populations, groups and communities.

1.6 By providing a lifeguard service on our beach at Dawlish Warren it also means that we meet one of the criteria to enable Teignbridge to apply for a Blue Flag award. We currently have a Seaside award for Teignmouth beach, and should the water quality improve to an excellent classification we would then be in a position to apply for a Blue Flag award for this beach too. There is an example of an area in North Wales where they pulled their lifeguard service and Keep Britain Tidy withdrew the

Blue Flags because of not having any lifeguards in 2022. The need for lifeguards for a Blue Flag Award is based on a risk assessment. Therefore, if we decided that we did not need a lifeguard provision this would need to be reflected in the beach risk assessments. Keep Britain Tidy will ask in the 2024 applications what has changed in terms of risk for a lifeguard service not to be needed.

1.7. Please see the Equality Impact Assessment for the RNLI Lifeguard service provisions. We are confident that the RNLI embrace equality and inclusion. It was noted that the RNLI lifeguard service may advance equality of opportunity for those with disability or experiencing social deprivation. Providing lifeguard services may increase access for those who are less able. For those swimmers that are less confident, it may provide reassurance that there is lifeguard cover on the beach. The advice is to swim at a lifeguarded beach, between the red and yellow flags. If you are not a confident swimmer, you may want to follow this advice when you go swimming at a beach. It also helps to provide a safe health and wellbeing opportunity with sea swimming and its free. It may be the case that in the areas of high deprivation they have less access to private swimming lessons and high chance of needing the lifeguard services.

2. Implications, Risk Management and Climate Change Impact

2.1 Financial

2.1.1. It has been previously agreed with Teignbridge as the beach operator that they will pay a contribution of the overall costs of providing a lifeguard service, with the RNLI charity covering the remaining costs. This covers the staffing cost of the lifeguard service and the remaining contribution from the RNLI covers the training, infrastructure and equipment that goes with providing a service.

2.1.2. In 2023 Teignbridge paid 65% of the actual costs of the service at £50,046 per year with the RNLI charity covering the rest. There has been a 13.4% increase in cost from 2022 in line with RPI which is stated in the contract.

2.1.3. The RNLI have stated that the contribution from Teignbridge will need to increase by 2.5% each year alongside RPI. At the end of the 5 year contract this would mean that Teignbridge would contribute 77.5% of the actual cost by 2028. This is consistent with what the RNLI is asking from other local authorities nationally.

2.1.4. The RNLI use RPI percentage increase for calendar year to December, so December RPI would come out in January. So the RNLI would look to confirm the exact figure in January of each year. The 2024/25 budget proposals will include the inflationary and contract pressures identified above.

2.1.5. In addition to these costs the contract states that the beach operator shall provide parking permits free of charge for any patrol vehicles stationed at a beach, all RNLI personnel such as lifeguards and Supervisors, community fundraisers such as the face-face team, shoreworks management staff and educational and coastal safety team member. These are currently provided electronically via the car park team. In 2023 these costs were approximately £5000 based on 20 permits for the lifeguards for the summer.

2.1.6. The beach operator is responsible for providing shore facilities for the RNLI. There is a permanent lifeguard unit at Dawlish Warren on the seawall and a temporary outpost on the sea wall which is stored in the car park during the winter. The RNLI provided these units and the infrastructure to install them at no cost to TDC. There is not any cost involved in storing these during the winter for TDC.

2.1.7. At Teignmouth the lifeguard units are installed seasonally by the RNLI and removed in the winter. Teignbridge as the beach operator is responsible for providing the shore facilities in Teignmouth. Currently this a store on the Den, it has been agreed that when these stores are demolished as part of the new Town Council toilet provision, facilities will be provided in the form of 2 containers located in the lower point car park. Planning permission has already been approved and a budget of £7840 has been allocated as part of the toilet provision project for these containers.

2.2 Legal

We do not have a legal responsibility to provide a lifeguard service on our beaches in Teignbridge. However, we do have an obligation to carry out risk assessments as a responsible landowner and detail control measures. The mitigations include provision of public rescue equipment, signage and providing a lifeguard service is one of these control measures.

2.3 Risks

The RNLI shall carry out a Risk Assessment in respect of the Patrolled Beaches to:

- Identify and assess the risks posed by potential hazards within the Patrolled Areas (“Identified Risks”); and
- Specify a series of control measures to mitigate against the Identified Risks. The control measures shall include, as appropriate: - Provision of public education, safety literature, information and warning signs; Zoning; Barriers; Trained surveillance; First aid; Lifeguards; and where appropriate, the necessary equipment required to minimize the Identified Risks.

These safety assessments carried out by the RNLI every 5 years and updates are provided annually, they are included in the Appendix 2.

By the RNLI providing a lifeguard and first aid service it also acts as a control measure in the Resort work based and site risk assessments.

There is a UK Drowning prevention strategy developed by the National water safety forum and supported by RoSPA. The aim is to reduce accidental drownings in the UK by 50% by 2026. By Teignbridge working with the RNLI to provide a lifeguard service on our beaches, we as a local authority are helping to support the National strategy.

A significant risk for Teignbridge is fatalities due to drowning on the beaches during the busy summer months. By having a lifeguard service on our two busiest beaches we are helping to mitigate this risk.

2.4 Environmental/Climate Change Impact

Access to safer natural and open water swimming spaces is a valued community asset in Teignbridge; extending the contract with RNLI may be considered environmentally beneficial given that it maintains this provision within our communities, and within access via bus, rail, walking, and cycling for residents and visitors of the district to enjoy.

3. Alternative options

An alternative option to entering into a 5 year contract with the RNLI is to make a decision to not provide a lifeguard service on the beaches to enable a financial saving. This decision comes with a significant risk that there could be a fatality due to drowning on one of the beaches. The authority would also not be able to apply for a Blue Flag at Dawlish Warren for 2024.

Another option would be to seek financial contribution from Teignmouth and Dawlish Town Council. As the agreement with the RNLI needs to be in place to enable a lifeguard service for May 2024 the option of financial contribution from Town Councils would need to run alongside an agreement with the RNLI to ensure that there is no delay in the service starting. There are also wider discussions regarding financial contributions from Town Councils which the RNLI lifeguard service could feed into.

We are aware that there are local voluntary surf lifesaving clubs. However, they do not have the infrastructure or the capacity to offer the cover that this contract provides.

4. Conclusion

It is recommended that the Executive approve the continuation of the RNLI lifeguard service based on a 5-year contract and the budget for the next 5 years for this contract.

Appendix 1- Number of RNLI incidents

Details of the number of incidents in the last four years across Teignmouth and Dawlish Warren beaches:

Teignmouth Beach

Number of incidents	Rescued	Assisted	Major First Aid	Minor First Aid	Search	Near Miss	Other	Missing/ Found	Preventative actions
2019	3	4	12	33	2	0	0	3	19103
2020	6	7	7	11	2	4	0	1	10698
2021	1	5	3	30	1	0	0	1	18034
2022	7	5	16	51	0	10	0	5	12114
2023	5	5	8	22	0	3	3	1	6266

Dawlish Warren Beach

Number of incidents	Rescued	Assisted	Major First Aid	Minor First Aid	Search	Near Miss	Other	Missing/ Found	Preventative actions
2019	4	0	8	35	0	0	0	8	9259
2020	2	12	4	30	0	0	0	6	10579
2021	0	7	8	55	0	0	0	2	9986
2022	7	8	7	27	0	0	1	12	9059
2023	0	10	8	59	0	0	0	1	4754

Please note in 2023 the means of recording stats, accumulated preventative actions, changed from 2 hourly in previous years to twice a day, 10:00 - 14:00 and 14:00 - 18:00. This may explain the reduction in recorded preventative actions. In 2024 they will be establishing a structured way of recording ongoing data to ensure the end of day figures are an accurate reflection of the guard's activity.

Preventative actions is any safety advice that the lifeguards have provided face-face to the public. Such as advice against the tide coming in/risk of tidal cutoff, risk of tombstoning, risk of dangerous currents etc.

Appendix 2 - RNLi Safety Assessments