



1st June 2022

Dear Simon

CA/22/00888 Land at Whitstable Beach, Whitstable Foreshore, Landward of Mean Low Water Line CT5 1EJ.

WBC comments on Draft 1.1 WOFC Beach Safety Assessment (BSA) Dated 18th May 2022.

We have considered the amended draft and the comments raised in our original letter, dated 20th May, still stand.

Our significant concerns include the following:

- The BSA appears to disproportionately address risks in relation to the dry beach, rather than the 'development area', which was the condition requirement.
- No users affected by the development have been consulted, despite being identified in the report, and required as part of a risk assessment process by the 'Management of Health and Safety at Work Act 1999'. We note, also, that this version 1.1 was actually completed (18-05-22) prior to the end of the public consultation period (22-05-22).
- The risks of the 'pinch point' created by the 'development' forcing watercraft (including jet ski's) and swimmers into a small sea area have still not been addressed. In sections 7 & 8: collision between users, especially between swimmers and powercraft etc is given the same scoring as the general public suffering slips, trips and falls on the dry beach. As a result no additional mitigation measures are deemed necessary.
- The matrix scoring hasn't taken into account the oyster trestle-related accidents/incidents already reported. In Section 1, the likelihood of 'Entanglement, injury, potential for drowning, collision risk for sailors', is only given a score of 3 (i.e. 'Possible'), despite the numerous reported accidents/incidents involving the trestles over a period of years. Based on these incident reports, a value of 5 ('almost certain') would be the appropriate scoring. This would result in a much higher potential risk value and therefore the control measures recommended are inadequate and could not be considered 'suitable or sufficient'.
- The matrix scoring is inconsistent and questionable. In section 1: The Trestle Hazard identified acknowledges the potential for drowning and yet the severity scored is only 4. Why? The 'potential of death' should score a 5. Similarly, section 6 has the same scoring issues in relation to the 'likelihood, severity and potential risk' of the oyster trestle hazards. The control measures proposed are correspondingly inadequate.
- The mitigation measures recommended by the MMO and the MCA in the 2017 & 2019 Navigational Risk Assessments have not been included in the BSA. These mitigation measures include relocation and/or partial removal of the development, neither of which has been considered or included in this report.

- All of the above brings into question the competency of the author(s) of this BSA. The BSA has been 'compiled on behalf of the WOFC' but, like the first BSA submitted, the identity, qualifications and competence of the author are not included. The document is 'prepared by' Claire Goldthorp, an employee of the WOFC whose remit at the company appears to be 'accounts assistant' and 'development manager'. However, no information about her marine safety or H&S qualifications or experience is supplied.

We therefore do not believe this assessment is 'suitable and sufficient' for an area used so extensively for water sports and leisure and where numerous accidents/incidents involving the public have already been highlighted at the public inquiry.

Yours faithfully

Paul McNally

Whitstable Beach Campaign.

cc: Nick Salter / The Maritime & Coastguard Agency
Richard Bell / The Maritime & Coastguard Agency
Michael Bunton / The Maritime & Coastguard Agency
Matt Pavitt / The Maritime & Coastguard Agency
Helen Croxson / The Maritime & Coastguard Agency
Dr Andrew Jackson / Commodore Whitstable Yacht Club
Neill Austen / Herne Bay & Whitstable Water Safety Committee
Mel Green / Whitstable Marine Environment Group
Graham Cox / The Whitstable Society
Councillor Chris Cornell
Councillor Val Kenny
Councillor Ashley Clark
Councillor Clare Turnbull