Sovereign Base Areas Administration

Policy Statement

Coastal Region of the Sovereign Base Areas (SBA)

The Sovereign Base Areas Administration’s primary function is to discharge its responsibilities for the governance of the Sovereign Base Areas and maintain use of the Areas for military purposes, including the provision of areas for training. It is recognised that the SBA seashore is enjoyed by the general public for recreational purposes and is of significant ecological importance. The Administration aspires to strike a balance between these disparate interests; military, environmental, recreational, ecological and private commercial and non-commercial interests which affect the coastal region in the Areas.

In order to preserve the current ecological integrity of the seashore it is recognised there has to be limitations on further development on the seashore except under exceptional circumstances.
# Key Definitions

<table>
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<th>Term</th>
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<td><strong>2013 Ordinance</strong></td>
<td>- Seashore Protection Ordinance 2013</td>
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<tr>
<td><strong>Administrator</strong></td>
<td>- the SBAs are governed by the Administrator, who is equivalent to the Governor in other British overseas territories</td>
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<td><strong>Administration</strong></td>
<td>- Sovereign Base Areas Administration</td>
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<td><strong>Areas</strong></td>
<td>- Sovereign Base Areas</td>
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<td><strong>BFC</strong></td>
<td>- British Forces Cyprus</td>
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<td><strong>DFRMO</strong></td>
<td>- Defence Fire Risk Management Organisation</td>
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<td><strong>DIO</strong></td>
<td>- Defence Infrastructure Organisation</td>
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<td><strong>ESBA</strong></td>
<td>- Eastern Sovereign Base Area (formally known as Dhekelia Sovereign Base Area)</td>
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<td><strong>RoC</strong></td>
<td>- Republic of Cyprus</td>
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<td><strong>Seashore</strong></td>
<td>- strip of land along the entire coast, up to a distance of 90 metres from the high watermark. Maps of the seashore can be inspected at the Area Offices during usual business hours.</td>
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<td><strong>Small Vessel</strong></td>
<td>- a boat or other vessel with a maximum length of 7 metres</td>
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<td><strong>WSBA</strong></td>
<td>- Western Sovereign Base Area (formally known as Akrotiri Sovereign Base Area)</td>
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Introduction

1. This published policy defines the approved framework of the Administration for the effective management and control of all activities, functions and development along the coastal region of the Areas. This policy supersedes previous policies concerning the management of this coastal region.

Geographical Scope

2. This policy encompasses the coastal regions of the ESBA and WSBA. These contain sensitive geographical areas protected by the Seashore Protection Ordinance 2013 (2013 Ordinance). The term ‘seashore’ used in the 2013 Ordinance extends inland up to a maximum of 90-metres from the high water mark; maps showing the extent of the seashore with the 90-metre line can be viewed at the ESBA and WSBA Area Offices during normal working hours.

3. There are areas where the designated seashore dips below the maximum 90-metre from the high water mark. In such case, the area between the inland boundary of the seashore and the 90-metre mark is given a more limited protection, however, events within this area will still require prior authorisation from the Administration using the Event Licence process.

4. There is additional legislation that regulates sea bathing, the use of power boats and fishing in the areas.

Key Policy Interests

a. **Military** – military activity in the coastal region. This is especially important in the WSBA where areas are specifically reserved for military use. Military training conducted along the Areas’ coastline within the scope of the 2013 Ordinance must comply with its provisions, as well as relevant environmental legislation, so as to avoid/offset and to mitigate against disruption of the natural environment and the use of the beaches for recreational activities.

b. **Environmental** – the coastline is characterised by a great diversity of geomorphological features, archaeological sites, climatic conditions and biological habitats. A variety of ecosystems have been identified that are particularly vulnerable.

c. **Recreational** - the beaches of the Areas’ host thousands of tourists each year. Businesses have evolved on some of these beaches and it is acknowledged there is a need for properly regulated and responsibly managed facilities to cater for the visitors. The Administration’s policy on development of the seashore is at Annex A and the Sea Toys policy is at Annex D.

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1 The Sea Bathers (Protection) Ordinance 2014, the Sea Bathers (Protection) (Sea Bathing Areas) Order 2014, the Powerboats Ordinance 1999 (as amended), the Fisheries Ordinance 2012 and the Fisheries Regulations 2012 (as amended).
d. **Commercial** – commercial activity will be limited and only permitted if it is demonstrated that there is a local requirement for the services offered. This will be strictly regulated by the Administration, taking into account environmental and other policy interests.

**Specific Regulating Measures**

5. The 2013 Ordinance regulates or prohibits certain activities.

a. **Driving and Parking** – driving and parking on the seashore outside of designated areas is prohibited unless undertaken on behalf of the Ministry of Defence or the Administration. Permissible routes for the purpose of launching a small vessel are given in a schedule to the 2013 Ordinance. Parking is permitted within the access routes but solely for the purpose of launching the vessel.

b. **Temporary or Moveable Structures** – the general position is that temporary structures of any type are prohibited on the seashore or abutting land. Two areas within ESBA, which were agreed with the local communities, have been designated by way of legislation to permit the parking of caravans. Each caravan is required to meet specific conditions and should apply for a licence each year from the Area Office. A further designation has been made regarding two plots to be used for temporary kiosks, portable toilets and changing rooms which are adjacent to the areas used for sun beds and beach umbrellas under the Pyla local seashore plan. There are no such areas within WSBA and there are no plans to designate areas for this purpose.

c. **Buildings** – the general position is that there is to be no further permanent development on the seashore or abutting land. Any application would be required to show exceptional reasons for the development to be permitted and comply with the relevant environmental legislation. The Administrator’s written authorisation would be required before an application for a building permit could be made under the Streets and Buildings Regulation legislation.  

d. **Events** - in order to limit disturbance to local residents and the environment, but preserve the free use of the coastal region by the public, organised sporting, social or other events are prohibited within the coastal region and where the seashore boundary is less than 90-metres from the high water mark. An event may take place if it is sufficiently small in scale that it falls below the threshold criteria. The Administration retains the discretion to consider applications for licences for larger events. If an event is intended to be held regularly then an application can be made for long-term authorisation. Applications will be assessed on a case-by-case basis and will be subject to the conditions specified by the Administration. The assessment will take into account all relevant factors including the local need, whether the police or local community councils have any objections, interference with military activities and whether there are any environmental implications. Event organisers are to be aware that, as a condition for obtaining a licence or being granted authorisation, the organiser may be required to pay for any additional cost of SBA policing in advance of the event. The organiser may also be required to provide a bank guarantee.

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2 This includes tents, kiosks, caravans, beach huts
3 The Streets and Buildings Regulation (Consolidation) Ordinance 1984 (as amended)
4 Threshold criteria set out in Annex B
e. **Commercial Water Sports** – commercial waters sports\(^5\) are generally prohibited on the seashore. If the Administrator designates an area as being suitable, a person can apply to the Area Office for a licence to carry out commercial water sports within that area. The Administrator has decided not to designate any seashore areas as being suitable for commercial water sports. The effect of this is that water sports carried out as a commercial venture (including their tuition and supply of associated equipment) is prohibited. This policy will be reviewed annually and will take into account any local seashore plans or military requirements.

f. **Animals** – it is prohibited to take animals on to the seashore or into the sea except in designated areas. The Administration has decided to designate an area within the ESBA with some restrictions – mapping can be found at Annex C. Further details with regards to restrictions can be obtained from the Area Offices.

g. **Local Seashore Committees** – all communities with coastal areas where there is no primary military interest should establish a seashore committee. Each committee, in collaboration with the Area Officer, could develop a seashore plan for the benefit of the local community and will be responsible for providing sun beds and umbrellas, in line with their seashore plans. Once the Administrator approves the plan it will be published as a Public Instrument.

**Review**

6. The policy will be reviewed on a bi-annual basis but informal reviews may take place more regularly.

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\(^5\) For the purpose of this document, “commercial water sports” means water sports carried out or organised by a person who, in the course of a business, provides facilities for or tuition in water sports.
Policy on Development of the Seashore

Background

1. The restaurants currently situated on WSBA and ESBA beaches have been in existence in one form or another on the same sites for over 40 years. The Administration has worked with the restaurant owners to ensure that they operate lawfully and comply with building, safety and environmental standards.

2. The Administration, having considered environmental, recreational, military and commercial requirements, has decided that further development on the seashore or abutting land will not generally be allowed. Any application would be required to show it is of public interest for development to be permitted and comply with the extant environmental and development control legislation. The Administrator's written authorisation would be required before a building permit could be issued under the Streets and Buildings Regulation legislation⁶.

Establishment of “Special Funds” for Lady’s Mile beach and Curium beach

3. A “Special Fund” has been established for those parts of the Lady’s Mile and Curium beaches that are outside MoD-controlled sites. Each Special Fund will receive the rental payments made to the Administration in relation to the restaurants on Crown land, as well as any further contributions made by beach restaurant proprietors whose premises lie on either abandoned TC or GC private land. Each Special Fund will be administered by a Committee under explicit Terms of Reference (ToRs). Members of the Committee shall be the following:

   a) Local District Officer – Chairman;
   b) Local Area Officer - Co-Chairman;
   c) District CTO Inspector; and
   d) Chairmen of local communities.

4. Non-permanent members (with no voting rights) shall be the major private land owners whose land holdings are within the area covered by a particular Special Fund.

5. The rent proceeds, in general, will be utilised for the following purposes:

   a) cleaning of the coastal area – excluding the parts of the coastal area directly covered by the respective lease agreements;
   b) proper sign-posting of the area;
   c) installation of waste bins;

⁶ The Streets and Buildings Regulation (Consolidation) Ordinance 1984 (as amended)
d) general improvement of the public infrastructure, roads, pathways and general amenities; and

e) part-coverage of annual life-guards costs including their respective equipment / installations i.e. towers.
Licence for Events

1. The objective of the SBAA is to promote the peaceful enjoyment of the seashore and surrounding areas by members of the public and limit disturbance to local residents and the environment. Organised sporting, social, political, charitable or other events are generally prohibited if any of the following are relevant:
   a. more than 50 persons are involved or expected to be present including as spectators;
   b. an admission fee is charged;
   c. seating, catering services, lighting, entertainment or any other amenities are provided on the seashore by or in the course of a business;
   d. the event is organised for commercial gain.

2. However, such events may be permitted if an Event Licence, which may be subject to conditions, is obtained from the local Area Office prior to the event taking place. Alternatively, an authorisation can be granted for regular events, which may also be subject to conditions. A DIO Land Management Services (LMS) Licence will also be required if the activity will be taking place within land owned or used by the Ministry of Defence or Administration.

3. A person who holds an event referred to in paragraph 1 without a licence or authorisation, or who fails to comply with a condition of a licence or authorisation, commits an offence. They may be issued with a fixed penalty notice for €85 or prosecuted; if prosecuted they could face up to 12 months imprisonment, a €2,562 fine or both.

One-off events

4. The issuing of an Event Licence will be at the discretion of the Area Officer. Applications will be judged on a case-by-case basis and will be subject to certain criteria. As per paragraph 2 above, a DIO Land Management Services (LMS) Licence will also be required if the activity will be taking place within land owned or used by the Ministry of Defence or Administration.

5. All applications must:
   a. be made in writing on the attached application form;
   b. be made at least 4 weeks in advance of the proposed event to allow sufficient time to process them;
   c. detail maximum expected numbers (tickets must not be sold at the ‘gate’);
   d. provide proof of adequate public liability insurance;
   e. be supported by a completed risk assessment form;
f. have the **local community council's support** and serve a **local community purpose**;

g. be accompanied by **any required licences/applications**; and

h. provide an **event site plan**.

6. All applications for licences for events will be assessed on the following basis:

   a. **Policing** – the event will be assessed to determine whether there would be any policing issues. If the event requires a higher level of police presence than normal routine business, as a condition of obtaining a licence the applicant will be required to:

      i. demonstrate to the satisfaction of a SBA police officer performing in the role of Divisional Commander that there will be an adequate level of marshalling or other arrangements in order to control the event; or

      ii. pay the cost of additional SBA policing required for the event in advance of the event.

   b. **Environmental Assessment/Scrutiny** – potential environmental impacts from the event will be assessed in accordance with the Game and Wild Birds and Protection and Management of Nature and Wildlife Ordinances. Events which are expected to have adverse effects on protected habitat and species of fauna and flora will not be approved unless they are necessary for imperative reasons of overriding public interest. Any approved event must comply fully with all relevant environmental legislation, including the 2013 Ordinance.

   c. **Emergency Services** – Submitted Risk Assessment are to be vetted by SBA Police, BFC Medical Services and DFRMO to ensure that all health and safety considerations have been adequately addressed. SBA Emergency Services may also carry out an on-site inspection, at any time before the event, retaining the discretion to finally recommend to the Area Officer to either not grant an Event Licence or revoke an already granted Event License, on health and safety grounds.

   d. **Local Community Council** – agreement, with evidence/justification, of local acceptability. Events which are not duly supported by evidence or justification that they serve a local community purpose are not likely to be approved.

   e. **Military Activity** – the event will not interfere with military activity or security concerns.

7. The Area Officer will aim to respond within two weeks of the application being received at the Area Office with all of the necessary supporting information and documentation.

   **It must be noted that each of these criteria must be satisfied. Failure to satisfy any one of these will result in the application being rejected.**

**Recurring events**
8. For events that occur regularly within the coastal region, organisers may apply for long-term authorisation. The length of this authorisation will be at the discretion of the Area Officer on behalf of the Administrator. It will be subject to the same criteria as those set for one-off licences.

**Bank Guarantee**

9. The Area Officer may make it a precondition of issuing a permit or authorising regular events that the applicant obtains and submits a bank guarantee from a bank or other similar institution (a “bank”). The guarantee must be for a specified period ending after the expiry of the licence or authorised period, to the effect that the bank will guarantee to pay to the Administration, in agreed circumstances, an amount up to the limit specified in the guarantee. The circumstances may include:

a. the applicant failing to remove rubbish, temporary structures or other unwanted items from the seashore or adjacent land after the event;

b. the event causing, directly or indirectly, significant environmental damage; or

c. the event causing, directly or indirectly, the SBA police to incur additional costs which had not been envisaged and covered already by a payment made in advance of the event.

10. The guarantee would be used to reimburse the Administration for the costs of reinstating the area to its former state should the applicant fail to do so. It would also be used to reimburse the SBA Police for incurring additional costs which had not been envisaged and covered already by a payment made in advance of the event.

**Application Form for Events**
DHEKELIA DOG WALKING / BATHING AREA
Sea Toys Policy

Key Definitions

**Sea Toy** - Any item or sea toy structure in the sea secured in any way to the seabed for recreational use by members of the public.

**Sea Toy Structure** - A number of components from the same manufacturer, designed to be assembled together and used as one sea toy.

Introduction

1. This policy sets out the basis on which Area Officers will licence individuals to operate sea toys. Any licence granted will be subject to strict conditions, in particular to ensure public health and safety, and protect environmentally sensitive areas. An application for a licence must be made at least two months before the applicant intends to place the sea toy in the sea.

2. No individual may place a sea toy in the sea unless they have a licence, and they must comply with the terms of the licence. The application form for a licence is provided at the end of this policy. Any such request will be considered on a case by case basis taking into account all factors including health and safety, other licenced or proposed sea toy(s) in the area, interference with any military or security activities, environmental implications and whether there are infrastructure concerns (for example, sufficient facilities in the vicinity such as toilets, changing facilities and rubbish collection).

Criteria and Conditions

3. Before a licence is issued for a sea toy(s) the applicant will have to demonstrate that they have complied with the following criteria, and accept the following conditions.

   **European Standard**
   a. All sea toy(s) must conform to the European Standard EN 15649

   **Risk Assessment**
   b. The operator must undertake a thorough risk assessment of each sea toy(s) (including consideration of the manufacturer’s instructions) to assess the risks of operating the sea toy(s) generally, and specifically in its proposed location. Measures must be taken to ensure the risks are as low as reasonably practicable and minimise or mitigate potential dangers, including through the provision of lifeguards and adequate insurance. Where the risks cannot be reduced to an acceptable level the equipment must not be used.

   **Insurance**
   c. It is mandatory to ensure each individual using the sea toy(s) is covered by adequate public liability insurance. What is adequate will depend on the nature of the risks posed by the sea toy(s) and its location.

   **Location**
d. Sea toy(s) can only be placed within sea-bathing areas designated under the Sea Bathers (Protection) Ordinance 2014. Sea toy(s) must not be located near SBAA turtle nesting beaches or protected marine environments (for example, Posidonia Seagrass).

**Density/Numbers**

e. Each individual sea toy must be at least 10 metres (including any slack rope taken up) from any other sea toy in all directions. The maximum number of people allowed on the sea toy at any one time must be in accordance with the manufacturer's instructions.

**Operation**
f. The operator must have a management plan setting out how each sea toy(s) will be used, which must be fully in accordance with their risk assessment and the manufacturer's instructions. The plan must include the operator's proposals for: securing the sea toy(s), the minimum depth of water around the sea toy(s), and the provision of lifeguards and signage. The management plan must also set out how any related equipment, such as hoses, will be used. The operator must also have a written action plan to be used in case of an accident. The sea toy(s) must only be used by the public between the hours of 7am and 7pm (section 14(3)(a) Seashore Protection Ordinance).

**Lifeguarding**
g. Full time qualified lifeguard(s) must be present during the hours of operation. At least one life guard to be on duty at all times, with the need for additional life guards considered as part of the risk assessment conducted by the operator.

**Record of Health & Safety Checks**
h. A daily health and safety check of all sea toy(s) must be conducted and recorded in a Health and Safety Record book. The Health & Safety Record book must be available for review at any time by the SBAA competent authority or authorised inspector. The following minimum checks for each sea toy(s) must be carried out daily:

   i. the minimum water depth around each sea toy is in accordance with the manufacturer’s instructions or the management plan, whichever is the greater;

   ii. anchorage is secure and taut;

   iii. sea toy(s) remain the correct distance apart;

   iv. every sea toy(s) is in good physical condition; and

   v. all advisory signage is in good condition.

**Siting**
i. Each licensed sea toy(s)/structure must be sited so as not to obscure any other licensed sea toy(s), thus allowing lifeguards to maintain a clear view of all licensed sea toy(s) in the same area at any time.

**Advisory signage**
j. Operators must provide adequate advisory signage to users on the dangers associated with using sea toy(s). Signage to include: no diving somersaults, jumping, swimming underneath, horse play, fighting, pushing or pulling; non-swimmers are not allowed to use sea toy(s). If the sea toy(s) remain on the water during non-operating times, signage must include information about out of hours usage and the hazards associated with their use.

Inspections
k. All sea toy operators must allow SBAA and any other authorised inspector(s) onsite at any time to inspect the sea toy(s) and their original documentation/certificates, and treat them with respect. Any threatening behaviour will not be tolerated and could lead to the licence being revoked.

Securing of sea toy(s)/structure
l. Sea toy(s) must be secured to the sea bed in accordance with the manufacturer’s instructions and in such a way that users cannot become trapped underneath them in any event (including an accident).
   i. Where secured by tethering the sea toy(s) to the sea bed, only marine resistant rope is to be used. Steel hawser must not be used.
   ii. If a suitable weight to rest on the sea bed is to be used, the weight SHALL NOT protrude above the level of the sea bed to ensure no risk of injury is posed to swimmers and users.

Minimum Depth of Sea Toy(s)/Structure
4. The minimum depth of water around each sea toy must:
   a. be at least the depth specified in the manufacturer’s instructions.
   b. be the depth when the water around the sea toy(s) is at its lowest, taking into account tidal changes in the depth of the sea.
5. Any sea toy(s) found to be sited in waters of less than the minimum depth stated in the manufacturer’s instructions will be in breach of this essential criteria and the licence will be revoked.

Removal from the sea
6. Should the wind speed reach ‘Sea state 3’ or above the sea toy(s) must be removed from the sea and held in a secure place.

General
7. An application for a licence must be accompanied by evidence of the above, as set out in the application form below.
8. The licence is only valid for the year it is issued. Renewal of the licence will be required annually.
9. The policy will be reviewed on an annual basis but informal reviews may take place more regularly. The SBAA may revoke this policy at any time.
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**Application for Annual Sea Toy(s)/Structure Licence**