



BSS Management Committee – Unconfirmed Notes

MEETING #84 TUESDAY 16 DECEMBER 2014, EA CENTRAL LONDON OFFICES

Present:

Chair BSSMC,
BSSAC Chair
BSSTC Chair
Broads Authority Rep
Canal River Trust Rep
Environment Agency Rep
Environment Agency
Marine Trade Rep
BSS Manager

Co-opted & Others:

BSS Communications Manager
BSS Quality & Tech. Manager

Apologies:

Examiner Body Rep
User Group Rep

84.1 MEMBERSHIP & APOLOGIES

- 84.1.1 Apologies were received from Examiner Body and the User Group representatives
- 84.1.2 Head of Safety at the Broads Authority acted as the Broads Authority rep
- 84.1.3 A new EA representative attended with support from the BSSAC EA representative. Introductions were made.

84.2 CONFIRMATION OF NOTES OF THE PREVIOUS MEETING, AND MATTERS ARISING NOT OTHERWISE TAKEN ON THE AGENDA – [NOTES ONLY] – (ALL)

- 84.2.1 Referring to 'action notes' from the Navigation Authority Hirer Safety Review Meeting on 7 March 2014, the Marine Trade rep provided comments in respect of CRT policy to require hire boats to comply with BSS requirements from the first day of operation from 2018. The marine trade has challenged the proposal and provided a legal opinion on the matter.

CRT rep reported that the Head of Business Boating now had just received the information and he needed time to digest it. However CRT is currently committed to require BSS requirement compliance from the first day of operation, subject to their own legal advice. BMF requested close participation of CRT's hire operators standards generally

84.3 REPORT OF THE EXECUTIVE MEMBERS PRE-MEETING [NOT OTHERWISE TAKEN ON THE AGENDA] - (CHAIR)

- 84.3.1 The Chair advised that the executive had discussed the likely impacts of the predicted MAIB report into a fatal carbon monoxide (CO) poisoning incident on a motor cruiser on Lake Windermere.

The executive noted that it was likely to challenge various organisations with an interest to get together to improve safety in respect of boat CO risks.

The BSS should expect a challenge for blue sky thinking. The MAIB report may

be published by mid-January.

A template news release will be provided by the BSS for navigation authorities to deploy, should they so wish.

84.4 UPDATE ON THE NAVIGATION AUTHORITY HIRER SAFETY REVIEW (CRT/AINA/BSS MANAGER/BSSAC/BSSTC)

84.4.1 Proposed changes to the BSS hire boat requirements [Doc D1]

BSS Manager introduced *Doc D1* which describes the agreed position of both BSS Advisory and Technical committees.

The BSSMC was asked to consider the recommendations made. The recommendations are to introduce six new requirements, alter five existing BSS requirements, remove three existing requirements, leave a further three BSS requirements unaltered and drop proposals for three other new BSS requirements.

The chair of BSSAC wanted the BSSMC to understand the proposals had been debated and discussed at length. As such he asked the BSSMC to not return any of the proposals for more discussions.

The Chair of BSSTC applauding the risk management process employed, said that the committee should note that, outside of the Hirer Safety Review, some of the proposals should be considered in the context of private craft.

The results of the BSSMC deliberations will form the proposals that will go forward to wider public consultation.

84.4.1.1 (A) *To introduce a new mandatory BSS requirement for suitable smoke alarms on hire boats having overnight accommodation.*

This proposal having a majority agreement at BSSAC, but not full consensus.

The BSSAC Chair noted that there are no fatalities recorded on registered hire craft from fire or carbon monoxide (CO) poisoning.

The BSS Manager noted that notwithstanding no records of fire and CO fatalities that a risk review had been carried out and the conclusion was that the risk review process had identified smoke alarms as a reasonable risk control to reduce the fire risk to as low as reasonably practicable.

The Marine Trade rep said that any added cost is a concern to the to the hire industry and asked BSSMC members to understand that the installation of smoke alarms will have an impact running into tens of thousands of pounds for the hire fleets.

He also stated that the trade position is that the handover procedure may adequately address the risk by mitigating the risk of fire. The EA reps questioned the reliance on behavioural measures in this context.

A majority position was reached to promote the introduction of mandatory requirements for suitable smoke alarms on boats with overnight accommodation, but the consultation document will contain a BMF view, broadly proposing that smoke alarms are not necessary because of the handover process and the proposal being a needless costly imposition on the UK hire fleet.

The exact wording of the BMF position would be supplied by the Marine Trade rep for inclusion in the consultation documents.

84.4.1.2 (E) *The introduction of a mandatory BSS requirement for the presence of a Crew Area safety sign adjacent to the main helm position on all hire boats.*

BSS examinations to include a check that the signs are as specified within the HBC, and are in good condition.

This is subject to the navigation authorities introducing detailed stability and freeboard testing requirements for hire operators as per the HBC.

The proposal was agreed, recognising that the HBC will specify the size, type and wording of the sign.

- 84.4.1.3 *The introduction of a mandatory BSS requirement for the arc of tiller arms on all narrowboats to be marked on the underlying deck.*
(H)

The proposal was agreed, however it was considered adequate to allow the hire operator to decide how to inform the hirer about the risk and this could be by deck marking or inclusion on the Crew Area safety sign.

- 84.4.1.4 *The existing BSS requirement 2002 ECP Check 2.21.3, for the stop control located as near to every steering position as practicable, is considered no longer appropriate or relevant to control the risks and should be removed*
(D)

BSSAC chair pointed out that the MCA Small Passenger Boat Code continues to have this as a requirement.

BSSTC chair noted that the 2.21.3 does not include checks for the effectiveness of any stop arrangements identified.

BA rep agreed the ineffectiveness of the check and that statistics from the BSS Office indicate that no boat has failed this check in recent years.

It was agreed to remove 2.21.3 and to proceed to public consultation on the basis that the check is considered no longer appropriate or relevant to control the risks.

- 84.4.1.5 (allied to E above) - *The introduction of mandatory BSS requirements for the presence of slip-resistant surfaces on designated external Crew Areas and for the slip-resistant surfaces to be in good condition.*
(F)

BSS Manager advised the committee that it is possible to specify and train examiners to assess objectively surfaces for slip-resistant qualities.

The consultation document will explain in detail as to how examiner training will provide objectivity and the hire industry will have access to the training material.

The BSSMC was assured that a reasonable and realistic approach will be used, for example not questioning proprietary systems.

A paper specifying check details and examiner training will be drafted for BSSTC consideration.

BSS Office

- 84.4.1.6 *The existing mandatory weed hatch opening BSS requirements from the 2002 ECPs should remain, but with the following revisions:*
(P)

- a) *Existing requirement for examiners to verify that weed hatch covers are watertight to be removed;*
- b) *ECPs to be amended to include bow thruster access hatches where they may be opened by hirers;*
- c) *ECPs to be amended to ensure scope and compliance options are expressed clearly.*

The marine trade submitted an alternative wording drawing directly on ISO 12217:2013, which requires the weed hatch opening to be at least 100mm above deepest laden waterline.

BSS Manager and BSSTC Chair asked the committee to understand that examiners cannot reasonably measure this dimension because on the day of examination it would make harsh impositions on fleet operators to load most hire craft to their deepest limits to enable examiners to make the check.

An alternative proposal was also considered which was to remove the check from

the BSS hire boat checks and for any requirement based in the ISO to be included with the general in service stability freeboard measurements under full loading conditions. This was rejected as an increase of the onus on hire operators and that such a proposal had not been discussed by BSSAC.

It was proposed to re-write the BSS requirement in-line with the ISO and in support include an applicability within the checking procedures - as noted in *Doc D1* - that that *checking for a height of 150mm above the normal laden waterline* is reasonably practical means of assessing equivalence with the ISO measurement in most circumstances.

BSS Office

84.4.1.6 All other recommendations in *Doc D1* were accepted by the BSSMC without further discussion and can proceed to public consultation

84.4.2.1 Stability & Freeboard Testing (verbal update) – BSSMC was advised that five spread-sheets and associated 'How-to-Guides for online utilisation, are in development and intended to guide hire operators to compliance testing through a web-based facility. Once the 'alpha' versions are ready, this will go back to a meeting with the marine sectors leading experts. Assuming the working versions are agreed, further testing for flaws and glitches will take place, seeking the earliest possible release of a wider beta test. The work prior to beta testing is likely to meet current time limits for public consultation proposals.

The field trials for the development of the stability assessment will also be used as an opportunity to further assess the proposal in 84.4.1.5 (weed-hatches) that reasonable equivalence with ISO 12217:2013 can be achieved by the applicability and current practice.

84.4.2.2 CRT Rep stated that the AINA group is confident that the draft proposals for the implementation of the Hire Boat Code will be available for April 2015 for Pt1 Powered Craft, with a view to implementation from the 2016 hire season.

Work will continue for Pt2 Unpowered Craft. Some elements from Pt1 will be relevant for Pt2.

The Broads Authority has concerns about the gap that unpowered craft have not yet been address, but noted the AINA group's roll-on programme.

BSSMC will continue to be interested in Pt2, but AINA will be driving this development forward.

Scoping of any gaps in the code approach has yet to be finalised. For example, AINA is to consider where hotel craft without propulsion engines but having powered and fuelled systems aboard, fit within the codes.

84.4.2.3 The Marine Trade rep updated the committee regarding the BSS request for assistance from the BMEEA on a list of issues submitted, some of which concern actions regarding electrical safety matters falling from the Hirer Safety Review.

He said the BMEEA had met and raised concerns and that following legal advice it would be writing with reasons why that assistance will not be forthcoming at the moment.

BSSMC will be updated once this letter had been received by BSS and contents considered.

84.5.2 REPORT FROM THE CHAIR OF THE BSS TECHNICAL COMMITTEE [DOC C1]

84.5.2.1 Ratification of BSSTC Terms of Reference (ToR) [Docs C2-C4] was discussed

Key change points include the current Broads Authority Head of Safety will take a wider role as AINA representative.

The BSS Quality Control Assessor will have an advisory but non-voting role as a

full member.

The proposed new ToR document and committee members' code were agreed.

The Chair BSSTC advised BSSMC members that 2015 is expected to be a busy year and LPG tightness testing is expected to absorb a lot of the BSSTC time.

- 84.5.2.2 An appeal by an owner of an older Broom 30 concerning the boat's diesel fuel tanks with soft-soldered seams has an interim outcome that allows the risk to be managed by the owner with the introduction of an engine space automatic fire extinguisher, until such time that the BSS is able to source an original Broom 30 tank for testing to ISO fire resistance standards. This has been communicated to the owner and examiner involved. It will be communicated to all BSS examiners and promoted other Broom 30 owners shortly.

BSS Office

84.6 REPORT FROM THE CHAIR OF THE BSS ADVISORY COMMITTEE [Doc E1]

- 84.6.1 The BSSAC Chair asked BSSMC members to appreciate that understanding the causes of incidents is of quintessential importance to the work of the BSSAC.

But it is evident from the incident reports collected by BSS that information supporting that understanding is proving very difficult to obtain from some navigation authorities and in particular CRT. Some information as basic as the boat name and index number is missing from some reports.

Without the data there are impacts on the effectiveness of the BSS risk management processes. For example, the risk profile may be skewed and the BSS committees may not be agreeing BSS risk activity that will be fully effective in addressing the true hierarchy of boat-related risks.

BSS Office staff are engaged after-the-event incident data collection with limited chance of establishing the basic facts, rather than in incident trend analysis, or other prioritised activity.

The basic data gathering activity by staff of the BSS Office is estimated to be the equivalent of 15.75 days per year and in many cases the information shortfall is never made up because of the time that has elapsed since the incident.

The impact assessment explaining the issues has been prepared by the BSS Office, it should be distributed to all members

CRT Rep said he would discuss the shortfall in available information with BSS staff after the meeting.

BSS
Secretariat

CRT rep /
BSS Office

- 84.6.2 Further to the reference in *Doc F1*, there was some discussion as to whether the risk of CO and the need for ventilation was a third party or first party issue, one side of the argument being that poorly designed ventilation can lead to draughts that could cause a fire to escalate faster than it might otherwise have done. The challenge being to draw a line under this topic

- 84.6.3 BSSAC Chair also expressed his disappointment at the lack of navigation authority representation at BSSAC. The importance of being accountable to users is important.

BSSMC Chair said that the issue will be taken away.

CRT rep

84.7 BSS MANAGER'S REPORT

84.7.1 Quarterly report of incidents & accidents recorded, [Doc H1] (GW/RM)

The contents of the report were noted.

BSS Communications Manager pointed to the recent fatal fire on the liveboard boat on the Kennet & Avon Canal which was too recent to be included in the

figures.

It was noted that this means on inland waterways the rate continues to be 1-2 deaths per year from fire and carbon monoxide poisoning. And in 2014 the deaths of two fishermen using domestic equipment and the boat as a domicile was also relevant in considering risk. So too the fatal fire on the residential barge in an Essex harbour linked to the use of candles.

He also advised the members that there was an extremely close call when a fire on a small cruiser in Oxford saw the three occupants escape with much trouble by breaking a window on the offside and jumping into the Thames at night. A pet dog died in that fire.

The common theme of a provision of suitable working alarms may make the significant difference in surviving such incidents.

84.7.2 Quarterly report against planned BSS risk-activity for 2014 [Doc H2]

Taken as per the report

84.7.3 BSS Quality Management quarterly activity report [Doc G1]

BSSAC chair raised the issue of delays to the minutes and he had concerns that the quantity of work undertaken by the BSS Office staff was impacting on delivery.

BSS Quality and Technical Manager said that the mantra of 'manage not do' is being implemented although sometimes it proved difficult, However the use of contractors has risen 300-400 per cent over the past three years.

84.7.4 BSS financial planning and controls [Verbal report]

The BSS is on target to the latest business plan.

The BSS Quality and Technical Manager presented an overview of the financial position, as follows:

Profit and loss accounts	Plan	Actual
External Income	336600.00-	330091.62-
Payroll Costs	152306.7	148986.21
Staff Related Costs	8448.64	12677.15
Premises and Office Costs	32676.4	28764.46
Professional Fees	47480.00	49862.76
Finance & Other Costs	365.84	1047.37
Total controllable costs	241277.58	241337.95
Total reserves	95322.42-	88753.67-

84.8 PROPOSED DATES OF THE 2015 BSSMC MEETINGS – VENUES TO BE CONFIRMED

BSSMC committee members are urged to enter the dates of the meetings #85 and # 87 into calendars.

The following dates were proposed and accepted:

BSSMC #85 Tuesday 17 March 2015,

BSSMC #86 reports late July 2015 (no meeting),

BSSMC #87 Tuesday 15 December 2015.

84.9 ANY OTHER URGENT BUSINESS

84.9.1 The Marine Trade representative informed the BSSMC that the associate member organisation of the BMF, the BMEEA had been approached for assistance concerning, amongst other things, residual current devices on hire boats.

The BMEEA had taken legal advice and it was not willing to work on the issue as it believes the navigation authorities are exposed to litigation or prosecution due to the lack of Examiner competencies.

The BSS Manager said it will be helpful to see the advice so as to provide a response. However in the interim he unscored the point that BSS has commissioned the country's leading electrical training and accreditation organisation to help refine examiner electrical training but could not see why dialogue cannot continue outside of any concerns.

BSSAC Chair reinforced the need for dialogue to continue

BSSTC chair noted his disappointment that help had not yet been provided when the BSS had asked for support.

84.9.2 BSSMC Chair noting that this was the last meeting of the calendar year and wanted to take this occasion to thank all the BSS committee volunteers for their time and energy in supporting the work of the BSS. He and the navigation authorities are deeply grateful.