



BSS Advisory Committee – Confirmed Notes

BSSAC #69, 8 SEPTEMBER 2009, BW OFFICES, HATTON

Present:

Chair
 Broads Authority
 AWCC
 BMF1 - Executive Interests
 RYA1 Executive Interests
 TBA
 YDSA
 EA
 IIMS
 RBOA
 ABSE
 NABO
 BMF2 – River-based Commercial Interests
 BMF3 - Canal-based Commercial Interests

BSSTC Chair
 IWA

Co-opted & Others:

BSS Manager
 BSS Quality & Technical Manager

Apologies:

RYA2 Yacht Clubs and Users
 AINA
 BW
 ABSE

Not Present:

MCA
 IMarEST - Vacant

- 69.1** **Apologies** – Apologies were noted as listed above. Members welcomed ____ as BMF1 - Executive Interests representative and ____ sitting in for ABSE.

It was noted that the BW rep would no longer attend BSSAC in view of the fact that he was to be made redundant from BW in October. The Chair said that a suitable BW replacement representative was needed and that he would stress this at the next BSSMC.

- 69.2** **Accuracy of the notes of BSSAC meeting #68** – Accuracy was agreed.

Matters arising from the notes of BSSAC meeting #68 [Not covered on the agenda]

- 69.2.1** *[68.4.3 - Update on the review of the Procedure for the investigation of alleged CoC breaches]* - As reported at 68.4.3, the BSS Manager said that he met representatives of the ABSE Executive on this subject on 25 June and again on 3 Sept. Observer members of BSSAC were in attendance at both meetings. At the latter meeting the BSS Manager presented views from BSS's legal adviser and BW's Legal Director on ABSE legal-based concerns about the investigation procedure. The legal advice to the BSS is to re-emphasise that the procedure and Code provisions are fair and just, but at the same time open the door to a change of language. This would seem to address some general examiner perceptions as measured during the BSS examiner survey last year and fits in with the suggested 'Service Level Agreement' between the BSS and BSS examiners to be covered later in the agenda.

The BSS Manager reported that the dialogue at the two meetings was fairly wide and very positive and constructive, included taking forward ABSE's concerns over the effectiveness of the Scheme's examiner consistency measures. The subject was followed up with a meeting taking place recently between an ABSE representative and BSS Q & T Manager who have agreed to work closely on developing quality policy drafts. The outstanding technical questions and issues were also raised.

In view of the positive report and the influence of other agenda items on the progress of this matter, it was agreed to hold over for a further meeting the update on the annual review of the CoC and investigation procedure agenda item.

69.2.1 (cont/) The Chair recognised that this subject would be more quickly addressed outside of the committee and recommended the widening of the dialogue to include the other practitioner bodies.

The ABSE rep was keen for the initiative not to take an inordinately long time and the BSS Manager said that although the process involving BSSAC, BSSMC and a full 3-month consultation with examiners must be robustly carried through, he said that the date of the new BSS examiner registration year (1st April) need not constrain the process. As soon as the new documents were ready to use, examiners can be asked to confirm their agreement to them. It was anticipated that first drafts of both documents can be achieved in time for the next BSSAC meeting for review.

BSS
Manager

The ABSE rep referred to a point made by the RBOA rep at the recent joint meeting, namely that the boating public must not be given the impression that wholesale changes to the BSS are being planned. It was agreed that the activity should not be publicised other than in the context of the routine annual review of the code and investigation procedure.

69.2.2 [68.6.3 - Update on publishing how the BSS handle complaints] The BSS Manager reported that in view of other priorities, and the fact that the final document is dependent upon the outcome of agenda item 4, this item must be held over until the next BSSAC meeting. This was agreed.

The Chair said that how BSS examiners complain needs to be published. The BSS Manager said that this can be added to the 'service level agreement' coverage. He reported the following routes for examiners to complain dependent upon subject matter:

- For complaints about 'administration' (i.e. a failure to follow policy), the BW Complaints procedure applies and may include BW Ombudsman route;
- For complaints about BSS staff, the BW Complaints procedure applies;
- Technical matters can be addressed through BSSTC to BSSMC.

69.2.3 [68.9.4 – The check of gas cylinder locker condition] – The NABO rep asked about the status of the proposed change to the ECP which is due to come back to BSSAC for sign off. The BSS Manager said that this is to be moved forward shortly. It was agreed to place an update on this subject on the agenda for the next meeting

BSS
Secretariat

69.2.4 [68.14.2 – Update on the 'scope' of the scheme (open boat/outboard) question] The BSS Manager reported that this matter is to be discussed at BSSMC once appropriate Navigation Authority staff have agreed an approach.

69.3 To note decisions and actions arising from the last BSSMC meeting #65

69.3.1 Members were reminded that the last BSSMC meeting was constituted of emailed reports and the Chair referred to the *BSS Managers Report [Doc B6, BSSMC #65]*.

The BSS Manager drew members' attention to the two actions on BSSMC members. The first of these was electrocution risks allegedly affecting visitors and staff. This is to be debated at a principled level at the forthcoming meeting of BSSMC. He reported that the initial views from those BSSMC members that have expressed a view is that some electrocution risks may well affect visitors and staff

The second action concerned the 'scope' question as referred to at 69.2.4 above.

69.4 Published information supporting the purpose and approach of the BSS

69.4.1 *Support paper – Published information supporting the BSS purpose [Doc G1 BSSAC #69]*

69.4.2 *Context – at the previous BSSAC meetings it was agreed that there was a lack of a common understanding of the purpose and approach of the BSS and that existing publications touching on general terms of reference did not succinctly explain this. The lack of a published reference left open to question the adoption of qualities such as risk-based, proportionate and independent. It also blurred the edges of the scope of BSS activity for example when covering first versus third party issues (including between private owners and hirers) or fire versus craft structure issues, accidental versus deliberate fire setting, or mandatory requirements versus advice checks. The BSSAC challenge is to develop recommendations to BSSMC. Document G1 sets out a suggested approach.*

69.4.3 The Chair referred to doc G1 saying that it set out a framework for an overarching document or suite of documents. The BSS Manager also referred to doc G1 and said that in the annex it also fulfilled the action established at the last meeting to develop the first page of Doc J3, BSSAC #68.

He said that since the last meeting the BSS Office had attempted to assess the impact of not having co-ordinated published information setting out the purpose and approach of the Scheme and that it was the results of this assessment that can be viewed in the table in doc G1 setting out a suite of documents, namely, EA/BW MOU, Navigation Authority Agreement, Public Charter, BSS Examiner Service level Agreement and Committee Terms of Reference. He stressed his view that the Navigation Authority Agreement was the key document from which the other documents can be developed.

He pressed members for a view on the suggested suite of documents and the associated description for each document to help ensure that these are accurate and complete.

It was generally agreed that the approach was sequential and logical. The Chair invited members to express any alternative views on the approach to the BSS Manager after the meeting, or otherwise be satisfied that they had had the opportunity to do so.

All

The following general comments were recorded:

- the IIMS rep said that the BSS Examiner Service Level Agreement (SLA) was not fundamental to the aim to develop published information setting out the purpose and approach of the Scheme. It was agreed that the SLA could develop as a separate initiative and that a draft SLA together with a report of progress can be an agenda item at the next meeting;
- the NABO rep said that the relationship between the BSS support committees should be clearly set out in the documents, including the terms of reference documents;
- the IIMS rep said that the documents should satisfy any test of logic, i.e. why is an examination needed and qualities such as time-efficient and practicable;
- the NABO rep said that the draft annex appears to have lost any reference to boats and the suite of documents should be careful not to lose this reference;
- the Broads Authority rep said that the draft Annex looked like a 'mission statement', which is no bad thing;
- the ABSE rep said that the administrative responsibilities should be spelled out, between say the BSS Office and BW legal department.

BSS
Secretariat

69.4.4 The Chair said that subject to the agreement of BSSMC to the approach at their forthcoming meeting, the BSS Office will focus on the top three documents, namely the EA/BW MOU, Navigation Authority Agreement, Public Charter and will move forward the BSS Office/BSS Examiner SLA with the practitioner bodies. At the next meeting the equivalent agenda item will be sub-divided between the various documents and it is anticipated that initial drafts of each can be presented in advance of the meeting.

BSS
Manager

The Chair said the aspiration is to have near final documents available by March 2010.

69.4.5 As a way of introducing the subject, the BSS Manager gave a brief presentation to members setting out the possible nature of the BSS Office/BSS Examiner SLA as recorded at the joint BSS/ABSE meeting. The presentation bullet points are presented below for completeness and these should be read in conjunction with the description of the SLA in doc G1, BSSAC #69:

Potential benefits of the SLA approach, it would help in the achievement of 'common objectives', it would get rid of the 'us & them' perception as it would add 'informality' and 'mutual respect', it would help enhance public confidence in the Scheme (& examiners) through greater dialogue between examiners and their customers

What a SLA should consist of? it should be based upon the very recent VOSA/MOT tester SLA, it should include customer service standards from the BSS Office to examiners and from examiners to the BSS Office, it should be 'balanced' in that the agreements should not be one-sided, it should incorporate a culture of 'mutual respect'.

69.4.5 (cont/) **Mutual/common objectives/aspirations.** *safer boats and boaters, the consistent application of BSS requirements by examiners, improved risk awareness for examiners (& boat owners through dialogue), enhancement of public confidence/reputation in the values and standards of the BSS (again through dialogue), 'continuous improvement' as a quality aim, the maintenance of a realistic pricing structure.*

One of the common objectives identified is 'safer boats and safer boaters'. The BSS Manager expressed the view that this opened the door to examiners presenting safety awareness to boat owners and bearing in mind that over 80% of incidents concern boat owner behaviour, that this would enhance safety. Practitioner members were generally of the view that this suggestion is not supportable because it may open up examiners to liability if they did not advise the owner and that awareness provision would and could not be consistently applied. Boat owner reps generally could agree with the practitioners albeit that members considered this a shame that examiners could not be called upon to do this. The NABO rep reminded members that for 60% of BSS boat examinations the owners are not present.

The following additional general comments were recorded and will help the further development of the SLA:

- the YDSA rep said that YDSA expects surveyors to be aware about their general duty of care towards their clients to make known to clients any obvious safety defects they may come across when conducting surveys. Providing awareness is to be considered as a possible way forward for BSS Examiners. But YDSA would not be able to support any general obligation or duty which formed an actual requirement of a BSS examination to discuss or comment about unspecified safety matters without parameters. He felt that this form of judgement was the basis for a survey and not a BSS examination;
- the IWA rep considered the use of the term 'registrar' (referring to the relationship between the BSS Office and BSS examiners in the SLA context) should not be used in the documents to be developed. This was agreed.
- the Chair said that relying on BSS printed awareness allowed the BSS to keep control of safety messages.

68.5 The potential for higher BSS examination charges presented by civil claims against examiners

69.5.1 Support papers –

- *The potential for higher BSS examination charges presented by civil claims against examiners [Doc H1 BSSAC #69]*

69.5.2 *Context – The BSS Manager is very concerned that increasing number of claims against BSS examiners insured through the block BSS PI insurance policy will need to be defended and that successful claims will have to be paid out. Increased costs to the insurers may lead to substantially increased premiums for examiners or even a difficulty in achieving PI insurance cover per se. The knock-on could greatly increase examination charges for boat owners and may lead to a shortfall in some areas in the number of registered examiners.*

69.5.3 The Chair introduced the subject and referred to the comments from the BSSMC Chair that the BSS should act reasonably to seek to protect the low current BSS professional indemnity (PI) block policy premiums in order to help minimize the on-costs to boat owners associated with achieving BSS certification. The Chair invited comments and the following were recorded. The comments will be used to help develop the approach to BSSMC:

- the ABSE rep said that ABSE could not support the recording of additional information;
- the YDSA rep said that he considered the block BSS PI policy to have been a very cheap policy for many years and that increased premiums was an inevitability;
- the IIMS rep suggested that other options to recording should be considered, such as disclaimers to be left with owners,

69.5.3
(cont/)

- the practitioner reps confirmed that not all BSS examiners will examine petrol boats and the Broads Authority rep expressed concern at this. The ABSE rep said that petrol installations are safe per se and that maintenance and owner behavioural issues are key to safety and that any alarmist reaction should be avoided;
- the Broads Authority rep asked about the process concerning addressing the risk presented by the boats the subject of such claims. The BSS Manager confirmed that the inferences to be drawn from the known details of this years most significant petrol fires are to be addressed at the BSSTC meeting in November;
- the EA rep expressed his view that the amount of additional information that might need to be recorded to satisfactorily counter any claims could be disproportionate to the risk and mean higher examination costs to reflect additional time spent; e.g. it would not be practical to photograph all joints in a petrol system to prove no leaks at time of examination. He also expressed concern that the visible recording of additional information aboard petrol boats might alarm boat owners and wrongly send the message that "petrol boats are unsafe", whereas if properly maintained they are not;
- the YDSA and BMF3 reps considered that the Scheme will benefit if increased PI premiums resulted in examiners conducting few examinations per year leaving, because the quality of the remaining examiners would be higher;
- the YDSA rep said that all hostile approaches cannot be prevented and that YDSA surveyors are offered training on how to avoid civil claims and that this may present a way forward for the BSS. He said that in his experience some claims against examiners are not covered by the block policy PI cover and he repeated his view that if the word 'safety' is removed from the BSS certificate, the likelihood of civil claims would be diminished;
- the ABSE rep said that market forces should be left to determine PI premiums;
- the general views recorded from the user reps was that claims can't be resisted and for the BSS to act 'Canute-like' would not be appropriate. However the TBA rep said that he supported appropriate action in defence of low examination costs.
- the Broads Authority rep agreed that claims can't be resisted and that the key is the examiner relationships. He considered BSS guidance to examiners to be the way forward.
- the BMF3 rep, speaking as a practitioner, commented that the introduction of the ECPs in 2005 was, in his opinion, bearing fruit in that craft holding a BSS Certificate post March 2005 and now being inspected appear to be more compliant than previously found. Thus, the developers should be thanked and this may help with the aim of better Examiner consistency that could assist with PI premiums.

69.5.4 The BSS Manager thanked members for their input that will help BSSMC decide the approach. The BSS Manager commented on members' comments by saying that he was somewhat surprised that the user groups did not have a stronger view in the interests of minimizing the cost of examinations. He was also surprised at the practitioner reps position that to potentially lose low certificate issuing examiners was a good thing; he felt that this could affect examiners employed by boatyards and marinas.

69.5.5 It was agreed that the BSSMC would be appraised of the BSSAC view to help them determine the BSS approach to the threat posed by claims against examiners PI cover.

BSS
Secretariat

The BSSTC Chair agreed to take the issue to the BMF's insurance, financial and legal services associate member organisation (IFLSA), for a view.

Chair
BSSTC

69.6 Bullseye fire risk - a BSS check proposal

69.6.1 *Support papers –*

- *'Bullseye' Fire Risk Check Proposal [Doc D1, BSSAC #69]*

69.6.2 *Context – The proposal seeks to address the inconsistency for mandatory BSS requirements to cover heat damage surrounding fuelled appliances and exhausts and yet not similar signs of heat damage beneath and around 'bullseye' decklights. The paper set out a targeted amendment to the scope of the two existing checks to cover this shortfall.*

- 69.6.3 The BSS Manager introduced doc D1 and invited comments from members on the proposal to amend the scope of the two existing checks and introduce a wide definition of 'appliance' to allow heat damage beneath and around bullseye decklights to be addressed within the Scheme.
- 69.6.4 In general, user group representatives considered the proposal to be a sound recommendation and that evidence of scorching around bullseye decklights is as relevant as scorching caused by fuelled appliances. The RBOA rep said that it would be good to get to the root cause of this risk because heat damage cannot be predicted at installation.
- Practitioner representatives were of a similar view however the IIMS rep was keen to ensure a consistent application in circumstances where the boat had its roof covered and the location of such decklights was not obvious. The BSS Manager said that this can be addressed in the checking action published in the amended procedure.
- The Navigation Authority reps considered the proposal a sound recommendation however were keen to ensure that the proposals were clear to separate domed 'bullseye' decklights from prismatic decklights and for the check to cover the known and accepted hazards.

- 69.6.5 It was agreed that BSSTC should re-visit the issue to ensure the risk issues between domed 'bullseye' decklights and prismatic decklights is clear and that the text of the amended checks is proportionate, accurate and clear. It was agreed that the proposal can go forward to BSSMC with this proviso.

BSS
Secretariat

- 69.6.6 The BMF3 rep asked about the ECP review referred to on page 2 of doc D1. The BSS Manager said that the BSS Office was conducting the first stage of a review as a five year review of the ECPs and to help ensure consistency of risk-aversion measures. He said the initiative would come to BSSAC at an appropriate juncture.

The YDSA rep was critical of the lack of printed durable updates to the ECPs. The BSS Manager said that he anticipated updated ECPs by April and that in the meantime all examiners had signed for the small number of updates as controlled items.

69.7 Efficiency - Update on the progress of the BSS IT project

- 69.7.1 *Support paper - Efficiency - Update on the progress of the BSS IT project - [Doc E1, BSSAC #69]*

- 69.7.2 *Context – standing item – a report by the BSS Quality and Technical Manager*

- 69.7.3 The BSS Quality and Technical Manager referred to doc E1 and invited comments.

The ABSE rep referring to the examination reporting facility currently being trialled by a test group and said that he considered that an interim design review was necessary because he was not currently of the opinion that the facility was fit for purpose, further describing it as clumsy and not ready to be rolled out to all examiners. He saw the review as affording a confidence check and whilst he did not expect perfection in the form of a Rolls Royce facility he did expect a Ford Mondeo.

The BSS Quality and Technical Manager said that he thought the ABSE rep had given a fair summary and said that he had no intention to release the examination reporting facility to the examiner body until it is ready. He said that there are 15 testers in the test group and that some 500 boat examinations had been entered. He welcomed the input on suggested changes from the test group which have been used to refine the facility and encouraged more comments. He said he intended to offer opportunities for the test group to review the final facility before launch and that the group must be satisfied before it will be launched.

He went on to refer to the importance of the current BSS activity to clean the BSS database of BSS Examinations going back to year 2000 and is essential in support of examiners entering examinations from launch and for the Navigation Authorities online licensing initiatives. He said that this task is probably still six weeks from completion and that the launch of the examination reporting facility must wait until it is completed.

- 69.7.4 The TBA rep referred to the operational difficulties caused by power cuts and the change of BW IT service provider and asked if BSS had recovered any costs associated with these. The BSS Manager said not and that any such claim would likely be unsuccessful.
- 69.7.5 It was agreed to log the ABSE concerns. The Chair stressed that the BSS should not rush into launching a system that is not ready.

68.8 Report from BSSTC Chair

69.8.1 *Support paper – none presented*

69.8.2 *Context – standing item – a report of BSSTC*

69.8.3 The BSSTC Chair, supported by the BSS Manager provided the following update:

a) ABSE paper - Short-comings in BSS Part 3 Regarding AC Electrical Systems This is with BSSMC to form a view in principle about electrocution risks and whether or not individual risks should be covered by mandatory BSS requirements.

b) Draft for Public Comment (DPC) boat solid fuel stove (SFS) BSI Code of Practice BSI will shortly be in a position to publish the code of practice after reviewing 115 pages of public comment over four meetings. It is intended that the code will be published as soon as the end of this year. The RBOA and AWCC reps said they would ask BSI to view how comments had been taken account of. The NABO rep asked if BSI small craft committee GME33 would get to see the code prior to publication – the BMF3 rep thought that the committee would.

c) Portable Fire Extinguishers (PFEs) The BSS Manager updated members concerning the BSS Examiner survey concerning the question raised about the level of assurance provided by older PFEs and any need for servicing or replacement. The planned survey of the knowledge and experience of BSS examiners is drawing to a close, albeit the response in terms of numbers of examiners responding has been disappointing.

55 responses have been received (around 25% of examiners)

10 know of failures and approximately 20 failures have been recorded.

No new extinguishers are amongst those recorded, but at least 2 had been recently serviced.

PFEs 1-5 years old, 2 are recorded one partial one complete failure;

At least 7 are in the 6-10 years age group – some complete and some partial failures;

At least 2 are in the 11+ age group and both were complete failures.

Extinguishant types concerning the 20 failures are made up of 3 gas, 3 foam and the rest dry powder.

A further encouragement for examiners to contribute will occur this week prior to a report to BSSTC.

d) Glossary definitions The term “gas proof” and the types of materials used for electrical conduit have been researched and the relevant checking points identified and reworded. These will be presented to BSSTC

e) Other items for review at the planned November meeting of BSSTC

- any technical items falling from the ongoing ECP review;
- RIB petrol tanks sealed under the floor, and the BSS accessibility requirements;
- any technical issues associated with the review of this season's petrol fires on 1970s/80s boats.

At this point the Chair left the meeting and the BSSTC Chair took over the meeting.

69.9 BSS Quality Management Report

69.9.1 *Support papers - BSS Quality Management Annual Report [Doc F1, BSSAC #69]*

69.9.2 *Context – standing item*

69.9.3 Members were invited to comment upon doc F1.

The NABO rep asked for re-assurance that committee members will have access to the examiner website. This was confirmed by the BSS Quality and Technical Manager

69.10 Report from the BSS Manager

69.10.1 *Supporting Documents:*

- *Report of incidents and accidents recorded 1 Jan to 25 August 2009, inferences drawn and proposed BSS risk activity [Doc I1, BSSAC #69]*

69.10.2 *Context – standing item –a report of BSS activity by the BSS Manager*

69.10.3 The BSS Manager commented on the following matters drawn from doc I1:

- to date this year there have been 5 fatalities on inland waters [*3 MOB, 1 fire death and one death where the cause is yet to be established and may be craft-system related*]
- the first boat fire fatality for 15 months occurred on Friday 22 May on the Kennet and Avon Canal. The incident involved a female in her early 40's. Investigation of the cause by Coroner's Officers and fire investigators is ongoing but without pre-empting the outcome of the Coroner's enquiry, the cause may have been associated with the use of candles onboard.
- patterns for this year so far include a sudden increase in deliberate fire setting reports [*up from 1 last quarter to 11 this*] and a number of petrol boat fires during May [*from 1 last quarter to 6 this*]. Electrical fire cause reports are up from 3 to 7.
- the BSS now have access to and are interrogating British Waterways' emergency data involving out of hours ambulance service co-ordination and a number of new boat related incidents have been recorded.

69.10.4 The NABO rep referred to table A3 on doc I1 suggested that the row entitled petrol leak/refuelling should be separated to differentiate between the two boat fire causes. This was agreed.

The BSS Manager said that table A10 on doc I1 will be amended to reflect the fact that incidents had been reported by at least three BSSAC members. These would appear under the other stakeholder row title.

The Broads Authority rep reported that the Broads Authority records indicated only a couple of boat fires this year and that the focus currently was on crew safety.

69.12 BSSAC Observer for the next BSSMC meeting

69.12.1 It was confirmed that the next BSSMC meeting #66 is to be held at BW Offices Paddington on 29 September 2009 and that the AWCC rep would attend as BSSAC observer.

69.13 Dates of next BSSAC meetings

69.13.1 The date of the next meeting is 24 November. All dates are Tuesdays and all meetings are at BW Offices, Hatton commencing at 10.00. The dates of 2010 meetings will be made known at the meeting.

The Broads Authority rep said that meetings in London would benefit those travelling from the Norfolk area as transport links are so much better than for travel to Hatton. It was agreed to debate this with the benefit of the Chair present at the next meeting.

69.14 Any other business [AOB]

- 69.14.1 Poor FRS support for boat gatherings - The RBOA rep reported a very negative response from both Nottinghamshire and Leicestershire Fire and Rescue Services (FRS) to approaches about boat fire safety checks at boat gatherings. The TBA rep reported a similar reaction from Humberside FRS and the AWCC rep echoed this concerning London FRS. The BSS Manager said that this was disappointing but useful feedback and would ensure this is feedback used at appropriate fora and with appropriate fire service officials.

BSS
Comms
Manager

The BSSTC Chair said that he had concerns about FRS personnel advocating smoke alarms without the back-up of an assurance of appropriate equipment.

- 69.14.2 RBOA safety concerns about boat design and building - The RBOA rep said that her organisation considered that the BSS incident and accident reports should be used to move boat safety forward, rather than leading to a reactive response to specific issues. The RBOA believes that the supply by manufacturers of items which may not, in some circumstances, be fit for purpose, and design issues in boat building, may be giving rise to a number of incidents and near misses. Although it was felt that the involvement of BMF would be useful at a future point, specific issues needed to be identified first. The RBOA rep agreed to provide a paper on this issue for the February 2010 BSSAC meeting.

RBOA rep

- 69.14.3 Lack of Navigation Authority enforcement – The BSSTC Chair said that BSS committee members put in a lot of effort in the interest of boat safety but asked if the efforts were justified if the navigation authorities failed to enforce on the ground.

His comments were addressed to the EA rep and concerned a boat on the Thames seen to have non-compliant battery, gas cylinder and gas fridge arrangements in the forward well deck of a narrowboat despite having travelled thorough many manned locks.

The EA rep said that the subject of enforcement was with senior EA managers and is to be the subject of a six month National Navigation Enforcement Review commencing in October. The BSSTC Chair said he was encouraged to hear about the EA initiative.

- 69.14.4 Reasonable period between initial examination and certificate issue - The BSS Manager requested some guidance on the subject of the reasonable time period between initial examination by a BSS examiner and the date of the certificate issue.

This item is not intended to answer on behalf of the Navigation Authorities who may place time constraints on owners achieving a BSS Certificate in support of licensing applications. In general the BSS advice to owners is to address any BSS non-compliances as soon as possible.

He reported that usually when re-examining a vessel which has had faults corrected after failing an initial examination an examiner may re-examine just those items which were failed during their initial examination, provided the re-examination is carried out within six months of the initial examination. Re-examinations conducted more than six months after the initial examination must be full examinations. The logic is that, bearing in mind that certification is required only once every four years, the Navigation Authorities can generally be assured that the initial examination is linked to the certificate issue and that the period can benefit the boat owner who can book in remedial works without constraints

He qualified this six month allowance by saying that any faults corrected on gas systems or introduced since the initial examination will require a further gas tightness test to be carried out upon re-examination, irrespective of the interval since initial examination.

He also confirmed that if when carrying out the 'limited' re-examination it is obvious that non-compliance(s) have been introduced or where extensive remedial works to the vessel may have affected/disturbed previously compliant items then the examiner can decide that a full examination is appropriate.

He said the matter was raised because of an incident involving a serious gas leak found by the new owner on the day he took control of the boat and a few days after the issue of the BSS Certificate, but six months after the boat was first examined and found to have no gas faults. The vessel had been on brokerage throughout that period. Quite understandably the owner questioned the reasonableness of the six month period since the gas checks and gas tightness test

69.14.4 cont/ The BSS Manager said that this was the first incident to bring the maximum six month period into question and sought a view from the user reps as to the period they would consider reasonable. The mean average response was generally to favour a 3- 4 month period. The BSS Manager thanked the user group representatives and said that their initial views would be used in reviewing the policy.

Ends