



BSS Advisory Committee - Unconfirmed Notes

BSSAC #87, 23 SEPTEMBER 2014, CRT OFFICES, HATTON

Present:

Chair
BMF3 - Canal-based Comm. Interests
CRT
YDSA
RBOA
BMF2 – River-based Comm Interests
AWCC
NABO
BMF1
RYA1 Executive Interests
IWA
AINA
BSS Quality & Technical Manager

Co-opted & Others:

BSS Managers

Apologies:

BSSTC Chair
EA
IMarEST
TBA
ABSE
IIMS
Broads Authority

87.1 Apologies and introductions

87.1.1 Apologies were noted as listed above.

Note that in view of the BSSTC Chair's full support for the recommendations provided to BSSAC, Mike abstained from voting on those items put to vote. It follows that there were ten voting members present.

87.1.2 The Chair introduced the meeting in the context of hirer safety, where it is accepted that the hirer may not have responsibility for the risks they are presented with.

He also said that members should be clear that the items reviewed for hire boats will be covered in the next review of private boat BSS requirements.

All members agreed the items without member comments can go forward to BSSMC as uncontended recommendations.

87.1.3 The BSS Manager reminded members that the purpose of the meeting was for BSSAC members to review, refine and make recommendations to BSSMC concerning the proposed draft new/changed BSS hire boat checks.

He also reminded members that the documents for review had an audit trail going back to the consultants 'Initial Recommendations' report published in late November 2013 and committee members have already had an opportunity to provide initial reactions to the recommendations at the November 2013 BSSAC meeting and that considered reactions were invited by end of March 2014. The papers for review had undergone further risk review at BSSTC in advance of arriving at BSSAC.

As reported separately, the Hire Boat Code is being revised and the revision is being overseen by AINA's Safety Issues Group. This group is also overseeing the simplification of the planned stability and freeboard testing.

The consultant's report covered some new recommendations for BSS hire boat requirements and reported the outcome of the BSS review of its current 2002 hire boat requirements and the appropriateness of applying the 2013 private boat BSS checks to hire boats.

There are some suggestions for boat equipment that don't accord fully with BSS requirements criteria, for example the provision of anchors or means of re-boarding facilities, and these items are to be further considered by AINA SIG.

The papers before BSSAC contained 20 suggestions for BSS hire boat requirement changes (including 5 to remove an existing requirement). The focus of this meeting is on those suggestions for new, modified or removed BSS hire boat requirements.

87.2 BSSAC recommendations to BSSMC un-amended

87.2.1 The following 11 items were accepted as they stand and agreed as appropriate to take forward as BSSAC recommendations for BSSMC un-amended.

87.2.2 **Proposal C - reversing mechanisms - existing mandatory BSS requirements and exemption from 2002 ECP to remain, but with the following revisions:**

- a) Requirements to be extended to include outboard motors;
- b) Existing exemption for inboard engined boats built before 16 June 1998 to be extended to cover outboard engined and electrically propelled boats and covered by way of a new 'Applicability' in the new ECP;
- c) Checking action covering the connection of the gear selector to the gear changing mechanism (gearbox) on inboard-engined boats to be removed and the impact of the revised BSS Check to be limited to the provision of a means of reversing operable from every helm position.

87.2.3 **Proposal G – *Subject to the navigation authorities introducing detailed stability and freeboard testing requirements for hire operators as per the HBC.*** The existing mandatory handrail/guardrail BSS requirements from the 2002 ECP should remain, but rewritten to bring them in-line with ISO 15085 and refer to the requirement for 'handholds' at designated crew areas.

87.2.4 **Proposal I - the existing mandatory BSS lifebuoy requirements from the 2002 ECPs to remain, but with additional aspects added that align with the published Hire Boat Code approach, i.e. condition of lifebuoy, floating lines on lifebuoys on Category C & D waters, and lifebuoys to be located where it can be quickly and effectively deployed overboard.**

Also, the recommendation is to introduce an acceptance of equivalent equipment to lifebuoys, where lifebuoys are not suited to the hire craft, e.g. hired motorised punts, where there is limited space to stow a lifebuoy.

87.2.5 **Proposal J - the existing mandatory BSS requirements for fixed ventilation warning labels from the 2002 ECPs should remain.**

87.2.6 **Proposal K - the existing mandatory glazing material BSS requirements from the 2002 ECPs should remain.**

87.2.7 **Proposal L - for the time being, not to introduce a specific mandatory BSS requirement for residual current device (RCD) protection for all 230v a.c. sources on hire boats but rather to apply the current private boat check for the existence of a consumer unit on hire boats with 230v a.c. systems.**

In co-operation with the BMF, to seek competent advice as to the extent existing RCD protection on hire boats is installed/maintained correctly and any future role for examiners in carrying out checks of RCD units.

87.2.8 **Proposal M - not to take forward the proposal to introduce an amended BSS requirement for battery isolators to be labelled to indicate their function, i.e. starter or services battery circuits.**

87.2.9 **Proposal R - introduction of a mandatory BSS requirement for the presence of labels**

identifying secondary means of escape where these are not self-evident. Labels to be in good condition. Label particulars to be to ISO 9094.

- 87.2.10 **Proposal S - introduction of a mandatory BSS requirement for fire blankets, where required, to be permanently fixed in open view.**
- 87.2.11 **Proposal T - not to take forward the HBC recommendation that the provision of a bilge pump or bucket/bailer be a new mandatory BSS requirement for all hire boats**
- 87.2.12 **Proposal U - not to take forward the proposal to retain the existing BSS requirement for the LPG cylinder locker openings and LPG main shut-off valves to be situated outside of accommodation spaces.**

87.3 The following BSSAC recommendations for BSSMC were developed at the meeting. Member comments are included.

87.3.1 The BMF1 rep invited by the Chair to comment said that BMF had been involved in the process to date and have submitted comments and are supportive of BSSAC discussing the proposals.

87.3.2 Proposal A - introduce a mandatory BSS requirement for suitable smoke alarms on hire boats having overnight accommodation.

BSSAC recommendation – committee consensus is supportive of the proposal.

Members not supportive were BMF1 and BMF2 reps. See comments e), f) and i) below.

87.3.3 Member comments:

a) The AWCC rep although he had no problem with promoting smoke alarms he would like to see alarms (smoke & CO) with an annual battery change requirement, not the so-called long-life batteries which from personal experience can be very variable in life.

The BSS Manager representing the BSSTC view said that competent advice is to select integral 5-10 year long-life batteries with caveat that alarms are removed during winter periods so as to maximise battery life. To have replaceable batteries could encourage removal by hirers.

b) In response to the Chair's question, it was confirmed that BSS Examiners will operate the test function button to test operability and will check for any obvious signs of damage.

c) In response to a question from the YDSA rep, it was confirmed that the selection of the smoke alarm would be a matter for the hire operator who would be well advised to select units as described by best practice guidance, including the selection of optical alarms, less likely to falsely alarm.

d) The BSS Manager made reference to the trial of 50 smoke & 50 CO alarms on ABC Leisure hire boats which appeared to be a success in the eyes of ABC's Managing Director.

e) The BMF2 rep referred to the excessive cost to the industry at £50- £100 per smoke alarm unit, see also g) below.

f) BMF1 said that if the boat had no unattended appliance then a smoke alarm should not be a requirement. He would prefer to see smoke alarms fitted only if a solid fuel stove is fitted.

g) The BSSTC rep stressed that BSSTC view is that as a minimum all hire boats with overnight accommodation should have alarms. He said he had recently purchased a 10 year alarm as described by best practice and that retailed at £27.

h) The BSS Manager referred to the proposal in the draft checking procedure for an alarm within 10m of each cabin used for overnight accommodation. He referred to the fact that competent body advice is for an alarm within 5m of any cabin. He said that the BSSTC risk review supported the 10m measurement, but that BSSAC members ought to be aware of the mis-alignment with the competent body advice.

- i) BMF1 suggested making any requirement for a smoke alarm 'advisory' and relying upon hire operator risk assessment to determine the actual need, i.e. if there was a solid fuel stove installed. The BMF3 rep disagreed saying that the proposal was not to do with the boat and all to do with the persons on the boat – namely to protect boat hirers.

87.3.4 Proposal B – introduce mandatory BSS requirement for suitable CO alarms on hire boats having solid fuel stove installations

BSSAC recommendation – there was full committee consensus in support of the proposal.

The BMF3 rep was supportive of enhancing the proposal to apply to all hire boats with overnight accommodation. See comment c) below.

87.3.5 Member comments:

- a) The BMF1 rep confirmed that the BMF had no objections to the proposal.
- b) The AWCC rep had commented in advance that although strongly advocating the use of CO alarms he would be much happier if alarms to BSEN 50291-2 were "recommended" for boats rather than being "best suited". Manufacturers are still putting a red cross through pictures of boats in their instructions and manufacturer's instruction override anything.

The BSS Manager indicated that the industry association CoGDEM are fully behind CO alarms on boats no matter if they meet the -2 element of the manufacturing standard or not. All five main UK makers of CO alarms have -2 products but none of them have altered their product to meet the standard. It's just that products submitted for testing have all passed. The issue is that the packaging and instructions have not at this time caught up with the test results. The BSSTC/NABO rep confirmed that the manufacturers' websites all confirm their products as suitable for boat and caravan use.

- c) The BMF3 rep asked why the proposal is only to apply to hire boats with solid fuel stoves as in his view, as hirers do not have control of the CO risks they ought to be protected from CO hazards from outside of the boat, i.e. from a neighbouring boats flues and exhausts. The NABO/BSSTC rep said that a minority of one view at BSSTC supported BMF3 reps position.

The BSS Manager said that the proposal reflected the current understanding of the level of risk and that the BMF-led diesel appliance assessments ongoing and the sponsored university research may amend that position in the future. The proposal as promoted is the right first step. The BSS Manager referred to the competent body advice that advocated a CO alarm on all boats having appliances and that they had expressed disappointment that the proposals concerning hire boats had not gone further.

- d) The YDSA rep said that reference in the draft checking procedure referring to 'ceiling' should be changed to 'deckhead'.
- e) The Chair questioned the definition of a 'door' as referred to in the draft check. He asked whether this was intended to mean separation or a sealed barrier. The BSS Manager the reference to door was in the context of separation of spaces and the audibility of CO alarms.

87.3.6 Proposal E - Subject to the navigation authorities introducing detailed stability and freeboard testing requirements for hire operators as per the HBC.

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.

BSSAC recommendation – recognising that the Hire Boat Code dictates the presence and format of a Crew Area Safety Sign, there was no objection to the proposal proceeding to BSSMC.

87.3.7 Member comments:

- a. The AWCC rep had commented in advance that it seems a bit soon to introduce these if

the stability and freeboard tests have not yet been defined, never mind carried out. Will there be standard sign(s)? In the meantime, why not just "Keep off the Roof".

The BSS Manager said that the proposal for a BSS check for a crew area safety signs is one of three BSS proposals entirely dependent on the navigation authorities introducing a stability and freeboard testing licensing condition. The current wording of the hire boat code stipulates a 'crew area safety sign' and at a BSS examination an examiner could easily establish the existence of such a sign.

- b. There was a protracted debate about what wording should be used and whether a diagram or sign should be used rather than written words or why not use individual notices instead.

The BSS Manager made it clear that the requirement for a sign would be entirely dictated by the reference in the Hire Boat Code which currently requires a 'crew area safety sign'. It follows that the role of examiners would only to check for presence of the sign and they will not be determining where hirers sit or stand.

- c. The BMF1 rep supported flexibility for hire operators to choose the format and the BSS Manager said that as written in to the draft BSS check the sign need only meet three criteria and none covered the use of pictograms.

87.3.8 **Proposal F – 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.**

BSSAC recommendation – no consensus was reached on this subject other than that the proposal should be at least advisory. When asked to show hands on whether the requirement should be a mandatory check for hire boats, four member votes were in favour and three were against. There were three abstentions. Navigation authority reps were strongly in favour, two of the three BMF reps were against.

87.3.9 **Member comments:**

- a. The Chair questioned the definition of 'slip-resistant surfaces' and how examiners are going to test applicability of the surface used. The BSS Manager pointed to the detailed definition in the second applicability of the proposed check, and the emphasis on training relevant to the defective areas of surfaces as compared to non-defective areas.
- b. The Chair illustrated that hire operators use sand in paint on narrowboats and will not have sand on the gunwhale edge because it causes cuts. It was confirmed that hire operators will be responsible for applying the surfaces and examiner training will cover off that slip-resistant surfaces need not be continuous. The BMF3 rep pointed to the text of the proposed check that states that there can be intentional gaps not greater than 75 mm and that this would allow the gunwhale edges not to be protected if the operator so chooses.
- c. The BMF1 rep said the proposed check should be dropped on the basis that it will be difficult to check, and that failure by BSS examiners would be an application of subjective opinion. In his view the only measure of slip-resistance is to use a recognised test process. He was concerned that hire operators could be inconvenienced if hire boats could not be let out on hire because they have been recently failed on this check.

The BSS Manager said that good examiner training will largely eliminate examiner subjectivity and he counselled that members should be balanced in their assessment on the one hand concerning the potential for subjectivity, which can be largely trained out, against the fact that falling in is the main risk to hirers. For those small number of occasions where there is a contention from the hire operator that the examiner is being subjective a safeguard can be put in place for the BSS Office or even BSSTC to adjudicate

- d. The AWCC and BMF3 reps made the point that the examiner will very likely have a relationship with the hire operator that would mean in practice that no issues arise, especially taking into account the two month post-dating facility encouraging early BSS examinations.

87.3.10 **Proposal H - the introduction of a mandatory BSS requirement for the arc of tiller arms on all narrowboats to be marked on the underlying deck.**

BSSAC recommendation – the majority of members considered that the marking of tiller arcs is not supportable and only one member was in favour, there were two abstentions.

A counter proposal to add specified wording to the planned Crew Area Safety Sign on affected hire boats attracted more support with six members in favour, two against and a three abstentions.

87.3.11 **Member comments:**

- a. The Chair introduced the item by saying that the proposal does not derive from the existing Hire Boat Code and that the proposal when aired at the hire operator forums attracted almost equal split views for and against. Also referring the EA rep's submission in advance of the meeting asked if the proposal could ever be a 'one size fits all' remedy, taking into account the various styles of narrowboat.
- b. The RYA rep asked why the item is being considered if it did not come from the Hire Boat Code. The BSS Manager said it derived from the two-day BSS Committee Sub-group who were tasked to identify any new risks not currently the subject of adequate risk controls.
- c. The BMF1 rep said that the proposed measure was not practicable in view of the small area concerned on some narrowboat types and not supportable because it could not be expected hirers to look down to observe the arc whilst navigating. He said he could not find MAIB on-record on this subject and that the paper brought in anecdotal references rather than hard facts and there was no evidence of a safety issue to do with tillers. He also said the costing in the paper was inaccurate and that the actual cost to industry would be £60,000 because markings would be re-applied each year. He said that handover was used to warn hirers of the tiller swing issue and that to implement the proposal would add high cost to industry with no added benefit.
- d. There followed a number of comments from largely from user group reps illustrating that there is a known risk of man-overboard associated with tiller swing and the importance of awareness in preventing incidents. The CRT Rep said that a CRT workboat risk review had added a handrail to stop staff being dragged into prop-wash and had pushed new workboats to have hydraulic steering.
- e. The RYA rep said that there is no evidence presented that the hazard results in a risk that is intolerable and that without evidence the proposal needs to be rejected. The BSS Manager answered that the BSSTC risk review concluded otherwise and that the opinion of experts identifying a known hazard requiring adequate control, is part of the BSS risk management process. He also said that the debate illustrated to need for members to undergo training in the process
- f. The Chair said that the only way to stop the risk would be by way of physical barrier, i.e. raising handrail heights and that this would likely be the position of MAIB looking at an incident. The BSS Manager said that hirer safety was a shared responsibility and that adequate risk controls can mean adequate instruction at handover or it can mean augmenting handover with signs as is covered with this proposal.
- g. The NABO/BSSTC rep asked why not add wording to the Crew Area Safety Sign, as notices are an accepted way of risk control.
- h. The AWCC and RBOA reps said that boat design change is only way to eliminate danger.
- i. The BMF3 rep suggested a requirement to mark the locations of all safety features on the boat on one notice close to the helm position, for example shut-off valves as well as the information required on the Crew Area Safety Sign. He said that this could save industry money in that no separate labels would be needed and it would be helpful to fire crews seeking the location of the gas cylinder, for example.
- j. The Chair summarised the debate by saying that the majority members consider marking of tiller arcs is not supported and conclude introducing the proposal would not make a significant enough difference to justify the imposition. A show of hands was undertaken including one for the proposal to add specified wording to the planned Crew Area Safety Sign – see BSSAC recommendation above at 87.3.10.
- k. The Chair added that there was full agreement that instruction of hirers to the highest standard in regards to the dangers presented by the swing of the tiller is essential. The AINA rep added the importance of good incident data, and the need to speak with those who were part of incident to glean key facts.

87.3.12 **Proposal O - remove the 2002 BSS requirement for electrical equipment to be ignition protected in engine spaces.**

BSSAC recommendation – there was full BSSAC support for the proposal to remove the 2002 BSS requirement.

87.3.13 **Member comments:**

- a. The Chair introduced this item referring to the EA rep's previously submitted comments. The BSS Manager said that it was impossible for examiners to consistently check the ignition protection of electrical equipment in petrol engine spaces and even if they could, such equipment is not available for the older day petrol day boats affected by the check. He went on to say that MCA start by not allowing coded boats to have petrol engines and then through operator submission, adequate controls can perhaps be imposed to allow petrol engines. It was the suggestion that the navigation authorities could adopt the MCA approach that the EA rep was questioning and his alternative suggestion was that the BSS website could hold such information. Members agreed that the BSS website could hold relevant information
- b. The AINA rep added that another reason for not allowing petrol engines is the fact that hirers on the Broads are constantly tampering with engines.

87.3.14 **Proposal P - the existing mandatory weed hatch opening BSS requirements from the 2002 ECPs should remain, but with the following revisions:**

- 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.**

BSSAC recommendation – the decision to support the proposal is withheld pending BMF text change suggestion concerning the last applicability of the proposed check.

The text-change suggestion can go to BSSMC direct and BSSTC viewpoint to be considered alongside it.

87.3.15 **Member comments:**

- a. The BMF1 rep said that the wording of the last applicability in the proposed check needs to be amended as it does not make the point about the RCD clear and the hire operator may not know about the technical underpinning or precedence of the RCD.

*The text of the last applicability is repeated here for ease of reference **Applicability – where a weed hatch opening height above the normal laden waterline is found not to comply with this requirement but the owner claims conformity with the Recreational Craft Directive examiners should contact the BSS Office for guidance.***

- b. The BSS Manager said that the issue concerns the words in the supporting ISO text that on the face of it may be seen to conflict but in reality does not. He said that the RCD safeguard text should remain as the vast majority of hire boats with weed hatches will comply whether meeting the supporting ISO text or BSS requirement text.
- c. It was agreed that the issue concerns different measurement points, the ISO allows weed hatch heights 100mm from the deepest laden waterline and the BSS check the height requirement at 150mm above the normal laden waterline. It was agreed that in most circumstances a measurement using one criterion will pass the other.
- d. The BSS Manager said that some may not pass both criteria and at the time the ISO threshold was reduced there was concern expressed by some narrowboat builders and most continue to build to previous measurements from the normal laden waterline. Another issue is that BSS Examiners cannot carry out measurements from the deepest laden waterline.
- e. The BMF 1 rep said that if we put up measures above RCD we are in breach. The BSS Manager said that as the reference to waterlines will be different – there may not be a technical conflict but that the navigation authorities would be very reluctant for this review

process to add risk to hirers. The CRT rep said that CRT are doing away with workboat weed hatches, due to so many sinkings.

- f. The RYA rep said that this is a design issue and so the words of the ISO should take precedence.
- g. It was agreed that a BMF text change suggestion concerning the last applicability of the proposed check will be developed and will be provided to BSSMC alongside a view from BSSTC.

87.3.16 Proposal Q - on balance, remove the existing 2002 BSS requirement for through hull openings below the waterline to be fitted with readily accessible cocks or valves.

BSSAC recommendation – It was agreed to support the retention of the check as per the BSSTC majority view.

87.3.17 Member comments:

- a. The Chair introduced this item referring to the CRT rep's previously submitted comments. The BSS Manager confirmed that BSSTC were split in their views on this item with five members in favour of retaining the check and three in favour of removal.
- b. The BMF1 rep thought that the main issue was the practicability of the check. The BSS Manager agreed but also said that the risk review had identified the check for removal on the basis that carrying out the check could not establish if the seacock was seized, the check did not cover the condition of any attached hose that could be perished and the wider risk picture that it was unreasonable to expect hirers to operate sea-cocks in a sinking event.
- c. Members largely agreed with the CRT rep that the check should remain so as to encourage hire boat builders/operators to continue to have sea-cocks and in support of the majority view at BSSTC.

87.4 Any other business (AOB)

87.4.1 No items were recorded.

87.5 Post meeting note

87.5.1 It appears that one item with RBOA comment was missed at the meeting.

The proposal and RBOA comments are provided here for ease of reference.

Proposal D - 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

RBOA comment - All the discussion seems to have been about possible cause of problems from failed gear linkages. I consider the most important reason for having it is in the event of an engine-room fire, in boats where there is a "traditional" engine room in the boat. I appreciate that this does not apply to the majority of hire boats, but I've seen a few "traditional" boats around on hire, and do not know how traditional they are - i.e. Is the engine-room amidships if so, then I would consider the remote stop to be important.

BSS Manager

4 November 2014