



## BSS Advisory Committee - Unconfirmed Notes

### BSSAC #89, 24 FEBRUARY 2015, CRT OFFICES, HATTON

#### Present:

Chair  
BMF3 - Canal-based Comm. Interests  
IIMS  
YDSA  
RBOA  
AWCC  
NABO  
ABSE  
IWA  
AINA  
BSS Quality & Technical Manager  
BSSTC Chair  
NABO

BMF2 – River-based Comm Interests  
EA  
CRT

#### Co-opted & Others:

BSS Manager

#### Apologies:

IMarEST  
Broads Authority  
RYA1 Executive Interests  
BMF1  
TBA

#### 89.1 Apologies and introductions

89.1.1 Apologies are as listed above. It was noted that The Broads Authority rep had stepped down and members conveyed their thanks for his contributions.

#### 89.2 Notes of last meeting

89.2.1 The unconfirmed notes of the last meeting, *Doc J1, BSSAC #88* were accepted, with one amendment, namely, to add the NABO rep's attendance at the meeting.

#### 89.2.2 Matters arising

89.2.2.1 *Tenanted boats* – discussed at AOB

89.2.2.2 *Risk Management Process* – Referring to the 'forum' held on 5 February, the Chair said it was important that members informally reported back on the event and views collected.

Generally negative comments were made about the format and delivery of the recent committee members 'forum' on the BSS Risk Management Process. Members would have found the event more useful had it addressed model scenarios, rather than purely seeking to underpin why the process is necessary and its antecedence, and pointing to one example of its application.

It was generally agreed that the process document can be considered 'work in progress' and that further improvement should be sought on added text change and tools that could lead to a clearer identification of the level of any risk at play, in specific applications, and then how this links to the actual risk management outcomes from the range open to the BSS; i.e. new BSS requirement to media release or awareness leaflets or 'do nothing'.

It was agreed to form a small joint BSSTC/AC working-group to improve the process document and it was agreed to have scoped the task prior to the next BSSAC meeting in June.

BSS  
Secretariat

### **89.3 To note actions arising from the meeting BSSMC #84**

89.3.1 The Chair reported that hirer safety review items were covered but as these are on the agenda they need not be covered here. The other main item covered concerned the BSSTC Terms of Reference.

89.3.2 In answer to a question from the Chair the CRT rep reported that no significant progress had been made concerning improving CRT incident reporting and recording, however he said he hoped to be able to report more fully at the next meeting.

CRT rep

89.3.3 The Chair also sought members' feelings concerning whether it was the right time to raise 1<sup>st</sup> and 3<sup>rd</sup> party risk issues, and whether the subject should be further aired as a result of the outcomes of the hirer safety review and the proposed new BSS hire boat requirements. No strong views in favour or against were recorded.

### **89.4 Nominations for BSSAC Chair's position**

89.4.1 For this part of the meeting the chairmanship was placed with the BSS Secretariat. Nominations for BSSAC Chair's position were sought and none were forthcoming. The position of the current Chair to remain in post for at least another year was ratified unanimously.

The Chair indicated that he will leave the position in the Autumn after eight years in place, and it was agreed that expressions of interest in the BSSAC Chair's role will be sought from BSSAC members as well as the member organisations, in the first instance.

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At a later moment in the meeting the Chair identified an action on all members present to let parent organisations know that a BSSAC Chairman is being sought.

All

### **89.5 Review of BSSAC membership and membership types**

89.5.1 Members did not identify any changed circumstances in the past year to warrant any alteration to the current membership or membership types.

The BMF Executive representative submitted proposals in advance by email, that the name of the BMF river-based commercial interests rep should change to BMF Hire Boats and that the name of the BMF canal-based commercial interests rep should change to BMF Boatbuilding. Both suggestions were supported.

A further suggestion from BMF that the committee be augmented by a BMF Broads rep and an associated request for BSS to contribute to routine two-night hotel and travel expense claims, was not agreed on the grounds that during the current tenure of the individual concerned as BSSAC 'observer' status, he had only attended one meeting.

The position of the RYA, that RYA representation is now reduced to one member (RYA1 Executive Interests), and that the RYA2 member is removed (RYA2 - Yacht clubs and users regionally) was noted, without comment. RYA say that clubs and users views can come through the Exec rep as there is a mechanism in place to allow that to happen.

BSSMC are commended to agree the outcome of the review of membership and membership types.

Chair/BSS Secretariat

### **89.6 BSSAC Terms of Reference (ToR) review**

89.6.1 The Chair introduced the subject of the BSSAC ToR review and a lengthy debate ensued based upon the subject headings set out in *Doc G1, BSSAC #89*. The following comments were recorded and it was agreed that the BSS Secretariat will produce a first draft of revised ToR documents for the next meeting:

- Other than the big three navigation authorities, full voting organisations should be 'national' organisations unless there is a very good case to include regional interests.
- The BSSAC AINA rep represents all smaller BSS-participating navigation authorities, and the ToR should reflect this.
- The ToR must clearly state the role of navigation authority reps in attending to counter

the previous CRT stand-in rep 'I don't know why we're bothering to come' approach.

- ToR changes emphasise the change from the existing ToR; to ensure committee members are clear about their role to ensure effective, efficient decision-making and allow for a range of views to be taken account of when reaching decisions.
- The ToR should look at when the BSSAC meetings are in terms of where they lay between BSSTC and BSSMC meetings.
- Taking into account of projected lesser strategic workloads and communication tool advances, the ToR should stipulate a minimum of two meetings a year, with any further meetings to be agreed as necessary by the Chair.
- The length of chair's tenure and the qualities of the Chair should be set out. There was no support for a fixed term, and so annual-renewable will be included in the draft ToR document.
- The Chair's recruitment process should become published in the ToR and the Chair does not need to be someone on the committee, but should not be an examiner or navigation authority rep – to ensure independence. The option, to consider using a professional facilitator should be further considered.
- The ToR should cover how/when to remove someone from the committee, for example if someone does not attend meetings, or acts against the interests of the BSS or the committee.
- Member organisations should confirm their selected representative, for the record.
- Individual reps should primarily restrict themselves to matters that concern their organisation, although the experience individual reps bring to the committee is key to ensuring well-rounded debate and outcomes.
- The committee to continue to work on a consensus basis. If no consensus then on a majority basis, with the minority view recorded in the notes. Reps ought to be able to request a vote and (as now) can ask for their individual comments to be recorded in the notes.
- A basic register of interests should be held on record, to head-off any accusations of conflicts of interest. i.e. member's who are both examiners and boat owners – nothing more detailed.
- The ToR should cover 'transparency', i.e. notes of meetings published once they are confirmed.

89.6.2 It was agreed that the BSS Manager would promote a first-draft version of the BSSAC ToR. BSS Manager

## **89.7 Update on the Navigation Authority Hirer Safety Review (HSR)**

89.7.1 The BSS Manager provided a verbal update. He reminded members that we are a Stage 2 of the HSR, whereby the navigation authorities are developing proposals as to precisely how the Hirer Safety Review is to influence navigation authority licensing conditions and BSS hire boat requirements.

The aim was to have proposals ready for consultation by the end of March in order to ensure implementation in time for the Easter 2016 hire season.

Three strands of activity are ongoing:

BSS hire boat requirements

*a) Proposals for six new BSS hire boat requirements*

- a mandatory BSS requirement for suitable smoke alarms on hire boats having overnight accommodation;
- a mandatory BSS requirement for suitable CO alarms on hire boats having solid fuel stove installations;
- subject to the navigation authorities introducing detailed stability and freeboard testing requirements for hire operators as per the Hire Boat Code (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;

- allied to the navigation authorities introducing detailed stability and freeboard testing requirements for hire operators as per the HBC, - 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;
- a mandatory BSS requirement for a visual indication by warning notice concerning the risk of hirers being knocked in by the swing of the tiller arm on narrowboats;
- 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.

BSSMC have agreed the proposals – there is work to do through BSSTC to ensure:

- that the potential for BSS Examiner subjectivity is largely removed from the check for the presence/condition of slip-resistant surfaces adjacent to designated crew areas. A consultant is appointed to develop training aids such as photos and sample sections, in conjunction with manufacturers and industry associations
- the BSSMC suggestion concerning the BMF suggestion that weed hatch opening heights align with the ISO text for a minimum of 100mm at fully laden waterline that is looking doubtful following initial testing.
- it is hoped that research can provide answers to the questions about ventilation design and formula.

#### *b) Hire Boat Code (HBC) review*

Since BSSAC last met there have been two AINA HBC meetings. The draft of the powered boat HBC is nearing completion.

Several challenges still remain, including whether AINA are confirmed as co-owners alongside MCA and BMF and, following a legal challenge by BMF, whether the code can include a clause requiring BSS certification from day-one.

The unpowered section framework is being developed and should be available by end of March, but implementation of this section will be delayed possible for at least a year.

#### *c) Stability & Freeboard testing*

The stability working group supporting the HBC revision met on 6 Feb.

The aim is to produce a simple web-based facility that will lead hire operators through the testing process.

First spreadsheet will guide hire operators as to which test is appropriate. Other spreadsheets will cover specific tests. Outputs from test will be, Stability Compliance Declaration and Stability Verification Report

Work progressing the separate spreadsheets and associated How to Guides was reported to the parent AINA group and the outstanding technical issues reviewed.

It was agreed at the stability working group that the test regime was nearly ready for 'beta' testing. Issue concerning boats with flotation tanks to be resolved – i.e. dinghies with outboards.

BMF consultant to produce Annex to HBC as per current Annex 3.

BMF to start discussions with APCO regarding training needs/implementation.

- 89.7.2 Members remained keen to explore the planned BSS check for the presence of slip-resistant surfaces in good condition.
- An action recorded was for the BSS Manager to circulate the list of the slip-resistant surfaces that the BSS consultant is moving forward with as referred to above; in order that the list can be assessed by members for completeness. BSS Secretariat
- 89.7.3 It was reported that the BMF weed hatch height suggestion is to be reviewed at BSSTC on 21 April, and any conclusion to be agreed at BSSMC by email.
- 89.7.4 The Chair asked about the planned 'frame-working' of the unpowered section of the HBC. It was reported that the framework was being worked up following principles established

during the revision process and in conjunction with relevant and interested organisations. Unpowered HBC implementation is currently planned to be a year or so behind that of the powered boat HBC.

89.7.5 The following additional comments were also recorded:

- In response to a question, it was confirmed that stability and freeboard testing is to be a once-only task for hire operators, unless the boat undergoes modification. Annual datum freeboard measurements will need to be undertaken and recorded to check that these are within tolerance.
- It was reported that a major piece of work being undertaken by the BMF consultant, is the re-writing of the current Annex 3 of the existing HBC covering freeboard and stability requirements.
- It was also confirmed that stability technical issues and sign-off won't come to BSSTC, as it will be agreed by the stability working group and ratified through AINA.
- When quizzed about the proposed end of March timing of the consultation on the revised HBC and the associated stability and freeboard testing, the BSS Manager said that he would not want to take responsibility for any commitment as the responsibility for the project lay with the AINA group.
- The Chair stressed the previous commitment to have concluded the consultations by August to be in time for implementation by April 2016, and that ideally all three elements would be launched at the same time.
- The BMF2 rep said that the regulatory impact assessment is needed for there to be an appreciation of the cost to the industry of introducing all of the changes.

## **89.8 Carbon Monoxide Safety on Boats – Update following the publication of the MAIB and APPCOG reports**

89.8.1 The Chair introduced *Doc D1, BSSAC #89* and invited comments. The following points were recorded:

- The NABO rep made reference to the last bullet point at the bottom of page one, which is '*all safety critical work on boats should be undertaken by a competent marine engineer*' he said that the implication to private boat owners of that statement is millions of pounds and will be not received very well. The BSS Manager emphasised that this statement was drawn directly from the MAIB report and so is not BSS policy text, but that '*competent installation*' was, and that non-competent installation had led to the Windermere fatalities.
- The AWCC rep said that those at greatest risk should be identified and targeted.
- The AWCC rep's previously submitted information was discussed, concerning a Fire Angel CO alarm product having confusing and contrary information on the product, box and enclosed instructions. The information indicated certification to BS EN 50291-2 but then stated *not suitable for boats*. The BSS Manager explained that enquiries revealed that the specific product was placed on the market in advance of the certification body's ability to test to some of the marine specific performance tests. The maker was keen for the product to be sold to the caravan market at the time and so did not wait. This position is now resolved and from this point forward products and packaging will be consistent.
- The BSS Manager repeated competent advice that CO alarm products currently on boats that are certified to the -1 part of the BS EN 50291 standard, rather than – 2, are suitable to be retained for use in leisure boats. He said that models going through the -2 performance testing are generally unaltered from products tested to the -1 standard.
- Recognising that hire operators will need to be 100% assured about the selection of CO alarm products and to guide private boat owners to alarm-maker 'recommended' products; the BSS Manager reported that a list of recommended alarm products for boats has been provided by the trade body CoGDEM and will appear on the BSS website shortly. A list of recommended smoke alarm products will follow and once this list is available the publication of the lists will be promoted widely.
- The BSS Manager sought views on the proposal in *Doc D1*, for examiners to record on

Salesforce if a CO alarm is present and functioning, where the alarm is certified unit. If no functioning CO alarm is found the examiner would be asked to leave a notice recommending one be acquired. The aim would be an increased take-up of CO alarms by boat owners leading to saved lives, and a database to assess take-up improvements.

The examiner body reps emphasised the additional time that would be taken and that more and more was being asked of examiners and that this could not go on.

At the meeting, navigation authority reps were fully supportive of this suggestion, marine trade representatives and one practitioner representative were against, user-group reps were generally in favour.

## **89.9 Report from BSSTC Chair**

89.9.1 The BSSTC Chair said that no report of activity had been sent in advance due to illness but that the work of the committee has been dominated hire boat activity as discussed earlier.

He referred to the task arising from the hire boat work to seek re-assurance for the navigation authorities' advice as to the extent existing 230V ac residual current protection RCD protection on hire boats is installed/maintained correctly.

89.9.2 Referring to the new LPG hose standard BS EN 16436 and the proposal at *Doc B1, BSSAC #89* for amendments to BSS examination checking procedures, the proposals were agreed. One change was agreed associated with the comment from the IIMS rep that the primary risk issue concerning high-pressure side hose applications, is the burst potential and not permeability, as stated in the paper.

The paper will now proceed to BSSMC for agreement.

BSS Secretariat

## **89.10 Quarterly BSS Quality Management Activity Report**

89.10.1 The Chair, referring to Doc F1, BSSAC #89, introduced the item by saying that there seems to be a lot of comments in the report saying 'behind schedule', 'delayed', 'put back' indicating possibly a manpower under resourcing problem.

The BSS Quality & Technical Manager responded by saying that the BSS run a tight-ship whereby margins are small and priorities change and that there are plans to improve the level of resources, and that extensive use of external resources is now the norm.

The Chair raised the matter of technology and asked if issues are preventing delivery of tasks – he referred to the previously reported issues between SAP and Salesforce. The BSS Quality & Technical Manager said that improvements in examiner invoice processing were being moved forward and that a couple of isolated events had been experienced earlier in the year but have been rectified and were considered 'one-offs'. A debate was had concerning what had happened and how those affected examiners were communicated with.

89.10.2 The NABO rep referred to the quality assurance of examiners and in particular targets to enhance examination recording standards. The BSS Quality & Technical Manager said that the annual report at the next meeting would cover this subject in more detail.

The NABO rep went on to say that he was getting more and more comments from NABO members he knew, about inconsistency between different examiners applying different standards. He wondered whether or not that's noticeable to others. The BSS Quality & Technical Manager said that examiner consistency remains a key focus and that members will recall that initiatives are in place to address including all new examiners undergoing field assessments soon after starting.

The Chair requested that the outcomes of investigations into complaints about examiner performance are made more transparent. The RBOA rep asked if there was any correlation between the number of wrong passes, if you like, and the number of BSS examinations those examiners do. It was agreed that a report to the committee covering the last five years of complaints will be provided for the next meeting.

BSS Secretariat

## **89.11 Report from the BSS Manager**



89.11.1 With reference to *Doc C1*, BSSAC #89, the Chair requested that the hire boat table be formatted the same as other tables. The BSS Manager said that, at present, the hire boat incident table merely represented extracts of navigation authority reports and that this was done partly to provide members with an impression of the quality of data provided. He said he would see what could be done.

There was a debate about the number of hire boat incident reports from CRT NW and that this did not mean that hirers were more at risk in that area, but rather indicated that CRT NW were better at reporting incidents. The EA rep described how he instructs waterway managers to input incident data, including recording boat use type, such as hire boat, but there is reliance on staff to act on this instruction.

In response to a question from the BSSTC Chair the BSS Quality & Technical Manager said that the top failure points would appear in the quality management annual report in time for the next meeting.

89.11.2 The Chair raised a question about patterns of the type of boats associated with fire and CO incidents and in particular the less affluent socioeconomic group those injured may fall into. He said that from his perception of the incident reports, particularly concerning the fatalities and serious fires records, there seems to be a common boat, type and by analysing that data it might give indication as to where the effort ought to be directed.

The EA rep said that in the Oxford area a joint initiative with the local Fire & Rescue Service, supported by BSS leaflets, had targeted this demographic profile and on an 18 mile stretch of the Thames each boat in this category had been visited by a fire professional.

The BSS Manager reported on a similar initiative on the Kennet & Avon Canal and that, as far as he knew, that CRT staff had not been involved. He said that what is needed is a national process around targeting vulnerable groupings of boaters, and that some Fire & Rescue Services need to be persuaded of a need to act. He envisaged the planned improvements in CO boat safety will have a big impact here.

The role of CRT waterway staff to support such initiatives was discussed and the need for any pastoral role in this respect to be established or ruled out.

The AINA rep described how Broads Authority Ranger staff seek to establish contact with all potentially vulnerable boaters and hand out BSS literature. Part of the reason is pastoral but equally it is to help address the risk to third parties and staff.

89.11.3 The Chair referring to paragraph 3.17.2 of *Doc C1*, about the prosecution of the boat yard owner for allowing someone to sleep on their boat in a dry dock, said that the outcome will have ramifications for boaters panning to stay at boatyard facilities overnight.

89.11.4 The BSS Manager apologised for the delay in the annual report against planned BSS risk-activity for 2014 and the report of planned BSS risk-activity for 2015 and said this would be provided soon.

BSS Secretariat

## **89.12 Items for BSSMC**

89.12.1 Those items discussed above, and below at AOB.

## **89.13 Dates of the 2015 BSSAC meetings, all at Hatton**

89.13.1 #90 Tuesday 9 June and #91 Tuesday 17 November

## **89.14 Any other business [AOB]**

89.14.1 The ABSE rep displayed a photo supplied by a member who at the time was acting in his surveyor capacity.



The photo shows an open-ended gas hose, blanked off by using a nozzle of a DIY sealant tube and a champagne cork.

The issue is not only the level of risk at play but also the attitude of the boat owner once the situation had been controlled by the surveyor who had smelt gas upon entering the boat and found the photographed-arrangements to be the cause of the gas leak. The owner was apparently angry that the surveyor had taken measures to address the risk. The BSS Manager said that in similar circumstances involving a BSS examination, and a similar boat owner reaction, he would be reporting to the navigation authority with recommendations that the owner be prosecuted.

- 89.14.2 The AWCC rep asked if BSS can become involved regarding *irresponsible articles/photos appearing in in the waterways press*. He gave the example of a recent article in a waterways magazine showing a man standing on the roof of a narrowboat as it travelled across a very high aqueduct. The BSS Manager said that the BSS very occasionally picked up safety concerns relevant to BSS requirements and that were published in the press and that editors had issued correction in the next issue or had allowed a BSS letter to be published in the next issue

The Chair suggested supplying relevant publications including specialist ones like the gas engineers magazine, with photos and text for a 'rogues gallery' section, to highlight what should not be done.

- 89.14.3 EA Rep reported a long-standing issue with *houseboats* associated with a lack of a single definition of 'houseboat' on the waterways and a lack of clarity as to the scope of the BSS certification as it affects houseboats. The issue also involved taking into account that a significant proportion of these are connected to shore supply electricity and also natural gas.

EA have issued strong advice to customers but this advice is coming under scrutiny from its user forum. EA see this as a national issue for AINA to manage but EA users are of the opinion that the EA should deal with it locally.

EA propose that AINA address the subject and clarify what BSS Examiners can assess on houseboats. The IIMS rep said that examiner can view electrical installations but conceded that there is a problem with the natural gas. The CRT rep said that the very first BW specification was for hire boats and houseboats. In response to a question, the BSS Manager confirmed that there is an IGEM code covering gas supplies to houseboats (IGEM/G/6).

The Chair agreed to take this topic heading to BSSMC and raise the question.

- 89.14.4 The BSS Manager raised an associated issue and one that in his view constituted a new risk, namely *tenanted boats*. He invited members to express a view as whether it was agreed that this is a potential problem area. He said that in terms of scale the number of tenanted boats could be greater than the number of hire boats. He said that the potential is for those tenants who are unfamiliar with boating to be presented with risks they should not be responsible for. He said that tenants in flats or houses are protected by law-based risk controls, whereas if you rent a boat it appears that you just pay the rent and the risk is yours to take.

The context is a noticeable increase in 'live-aboard' boats, especially around London, a recent complaint involving a tenant who was at serious risk of CO poisoning and the



plethora of forum advice out there whereby private boat owners are guided how to rent their boats and at the same time evade licencing conditions, evade commercial licences and council tax etc, and how to evade BSS 2002 requirements.

The Chair said that the risk to tenants is not a new issue, it's just that appears never resolved was how to take it forward, at the time it was agreed it was down to the navigation authorities to become more stringent in how they control, enforce, inspect boats.

Members were wholly in agreement that there is a risk to address and it was agreed to minute the concerns of BSSAC members and for the Chair to take the issue into BSSMC. The Chair said he would combine this issue with the houseboat item above.