



## BSS Advisory Committee – Confirmed Notes

### BSSAC #91, 17 NOVEMBER 2015, CRT OFFICES, HATTON

#### Present:

Chair –  
BM3 - BM Boatbuilding –  
AWCC –  
YDSA –  
RBOA –  
IWA –  
BM2 – BM Hire Boats –  
BSSTC Chair –  
NABO –  
CRT –  
EA –  
BM1 – BM Executive Interests –

Broads Authority –  
ABSE –

#### Co-opted & Others:

BSS Manager –

#### Apologies:

IMarEST –  
TBA –  
BSS Quality & Technical Manager –  
RYA Executive Interests –  
IIMS –

#### 91.1 Apologies and introductions

- 91.1.1 Apologies are as listed above. \*\*\*\*\* (BM1) and \*\*\*\*\* (BM2) were welcomed as stand-in reps.
- 91.1.2 The new Chair introduced himself and outlined his wide experience as a recreational boater and the fact that he was nominated by the RYA for the role. He is currently Chair of the Inland Navigation Panel of the RYA.

#### 91.2 Notes of last meeting

- 91.2.1 The unconfirmed notes of the last meeting, *Doc I1, BSSAC #90* were accepted, subject to:
- 90.8.1 – Concerning the number of live-aboard boaters on the coast at town creeks, estuaries and harbours, the RBOA rep requested text be added to the coverage, along the lines that:
- 'The RBOA rep said that this is perhaps a subject for a future agenda item as RBOA have a lot of residential boat members in those places, and as a long term aspiration she thought it would be ideal if they could be brought into BSS.'*
- It was agreed to monitor boat incidents for these locations at the forthcoming annual review of incidents.
- 91.2.2 Matters arising
- 91.2.2.1 *Carbon Monoxide safety on boats improvement project* - Members received an update that the MCA-led forum had not progressed with the planned co-ordination of efforts of interested organisations (BM, CoGDEM, RYA, BSS) largely because an initial BSS/CFOA bid for Gas Safe Charity funding for project leadership and project support materials was rejected.
- Members heard that bids to Gas Safety Trust for research funding had met with mixed fortunes. The BSS bid for funding to sponsor behavioural insights to improve boat CO safety has been rejected in the short term and alternative funding is being sought.

The BSS bid for Gas Safety Trust funding to monitor any CO levels in boats using 20 CO detectors carried by BSS Examiners has been approved and should begin in the first quarter of 2016.

The BSS Manager reported that the concept of enhancing the role of BSS Examiners to include CO safety improvements has been moved forward cautiously. The proposal is to include punchy 'scripts' aimed at influencing boat owner behaviour and specific to any CO risks identified on the boat as part of any BSS examination where the owner is present. BSSMC have agreed the change of role in principle. ABSE & NABSE executives have agreed the change in examiner role and all examiners are being canvassed for opinion at training events ongoing. With over half of examiners having been canvassed, all are keen to adopt the changed role and the vast majority say they already add value to examinations on a goodwill basis. Initial indications are that there will be no cost implications for boat owners. Mandatory training on CO awareness will be necessary. A paper will be provided in time for the February BSSAC meeting to seek members' approval to proposals and the proposals complete with BSSAC recommendations will arrive at the next BSSMC meeting for consideration.

BSS Manager

Activity for the next few months will focus on the above activity and securing additional funding and the BSS will invite support from other organisations for its initiatives. Alternative funding options are being sought for a boat CO safety video etc. that can be used as part of the examiner training and by user groups etc.

Members were generally supportive of the initiatives and had suggestions to offer to provide boats for testing and test methods and alternative funding streams, such as 'crowd funding' and from the 'The Knowledge Network'.

The subject of CO alarms was again raised with some members advocating an 'advice' check be introduced. It was reported that BSSTC had a Risk Review and Assessment Paper (RRAP) in draft form on the subject of a BSS requirement for CO alarms on private boats and that this leaned towards not introducing a BSS CO alarm requirement at this time. Once the RRAP is finalised it will arrive at BSSAC for consideration. It was agreed that a brief presentation of the risk arguments can be presented at the next meeting.

The BSS Manager reported that the Cranfield University 'blue-sky' CO research project has started and that an update can be anticipated at the next meeting.

BSS Manager

#### 91.2.2.2

*Tenanted boats* - In response to a question from the RBOA rep, the BSS Manager confirmed that he had met with CRT's Welfare Office but that the meeting was not useful in moving the subject forward because it became clear that the welfare officer has no remit to influence policy and only acted in a sign-posting capacity to outside agencies for boaters who approached CRT for welfare support.

A debate ensued that crystallised concerns previously expressed namely about the numbers of tenanted and newly acquired boats appearing in London, with reports of boats being moored up to 4-abreast, and whether the flow would continue at the same rate and whether an incident is bound to occur if adequate risk controls are not applied. It is accepted that other towns and cities have similar issues but that the scale of the London issue is unique.

Accepting that they had no facts to express a considered view, members were quick to vocalise worries about;

- a) the extent that new boaters/tenants may be at risk from a lack of maintenance of solid fuel stoves and possible risky inappropriate generator use. The question was asked as to which organisations were taking an interest here to ensure safe use of these appliances?
- b) the level of boat BSS compliance outside of BSS examination date and the level of compliance with CRT licensing or mooring byelaws and insurance cover provisions. Also mentioned were the type of BSS examination, private or commercial, and external regulations such as Gas Safety (Installation & Use) Regulations
- c) the numbers of boats being advertised for rent on, Gumtree Spareroom.com, Housetrip, AirBnB, & Facebook and the proportion of tenants who are new to boating and who are unfamiliar with boat living, such as use of solid fuel stoves and generators, lack of petrol handling/CO risk knowledge etc;

The Chair agreed to report to the BSSMC that members are genuinely concerned about this and ask whether the matter should be pursued by the Navigation Authorities or some other agency.

BSSAC Chair

- 91.2.2.3 *BSS Risk Management Process – continuous improvements* - It was reported that the BSS consultant is currently working on three activity strands aimed at scoping and delivering improved clarity and transparency of the BSS Risk Management Process , namely:
- a) a 200 word explanation of the process for anyone who wants to know;
  - b) the production of a vertical flow process diagram that describes what happens and acts as a checklist for committee members, from the time a new potential risk issue is collected;
  - c) a risk matrix tool to help clarify where the issue sits within the ALARP scale and so better identify the level of any risk at play, and any necessary risk management measure to be employed.

This work is delayed and members sought an assurance that it will proceed in a timely manner from this point forward. It is envisaged that a joint BSSTC/AC working group will meet in early New Year to take forward the scoping work undertaken by the consultant and develop the final versions of the process documents. The NABO rep confirmed his continuing interest to be part of the working group.

- 91.2.2.4 *Windermere boat owner prosecution/sentencing outcome* - The BSS Manager reported the conviction and sentencing of the Windermere boater and the fact that the BSS PR campaign to encourage the Lakes to join the Scheme must wait until the period for appeal has gone by so as not to be seen as interfering with the judicial process. At this time the MAIB report into the ARNISTON tragedy can be uploaded once again and this document is critical to the PR campaign.

### 91.3 **To note actions arising from the virtual meeting BSSMC #86**

- 91.3.1 Members were informed that no actions occurred following the reports provided to the BSSMC in August.

### 91.4 **BSS hire boat requirements changes, consultation outcome**

- 91.4.1 Members were appreciative that they had received a table of all responses as a result of the BSS hire boats requirements consultation the day after the last date for responses. It was agreed that the consultation had engendered a positive reaction to the proposals.

Members agreed that all positive and non-contentious items could be left without further comment. The following items were discussed in some detail and a BSSAC position established for BSSMC to consider:

- 91.4.2 *Question 7. Do you agree on boats with tiller steering there should be a clear warning to people on a sign in sight of the helm position, or by marking the deck area, not to stand within the arc of the tiller arm whilst navigating?*

Members considered that most comments appeared to be against the marking of the deck area but had not taken account of the option for a warning sign in sight of the helm position. The nature and wording of the warning was seen to be of critical importance and the stand-in BM2 rep who is also APCO Chair agreed to provide an industry suggestion as to how the warning should be worded. Members were also asked to provide any text suggestions.

BM2 rep

- 91.4.3 *Question 9. Do you agree that (subject to further consultation on the revised Hire Boat Code) there should be a Crew Area and Access Limitation Label visible from each helm position on all hire boats, indicating the maximum number permitted on board and the permissible Crew Areas?*

Members were of the view that the question had been worded incorrectly in view of the fact that any decision about whether the Crew Area and Access Limitation Label is a requirement for hire operators will be determined from the planned AINA/BM/MCA consultation on the revised 'Hire Boat Code'. The question that

should have been asked is, subject to the outcome of the HBC consultation and any agreed licensing requirement for a sign, whether BSS examiners should assess the condition of the sign to ensure it remains in place and legible.

There was a short debate about the 'creep' towards warning signs on hire boats, but this debate is best held once the Hire Boat Code consultation begins. The BSS Manager committed to provide all responses on this specific question to the AINA-led committee to inform them of views collected.

BSS Secretariat

91.4.4 *Question 14. Do you agree that lifebuoys should be in good condition and have floating lines when the hire boat is used on MCA category C & D waters?*

It was asked by the BM2 stand-in rep whether examiners would expect all narrowboats on the canals, close to the Thames and where it was feasible to navigate the tidal Thames as part of navigating a 'ring', to be examined for lifebuoys with lines. The BSS Manager indicated not and that the requirement would apply only to those hire boats that operate on cat C & D waters as part of the normal operation, i.e. Caley Cruisers on Loch Ness. It was agreed that the scope and limit of the application of the requirement would need to be made clear to BSS examiners and hire operators. It was also agreed that the Port of London risk controls applied to narrowboats navigation the ring, should be considered for equivalence.

91.4.5 *Question 16. Do you agree with the intention to introduce the revised BSS hire boat requirements from April 2016?*

A consensus view was achieved taking into account a balance of a) the nature and extent of the consultation responses received, b) the envisaged tight timescales to develop and deliver examiner training for April 2016, and hire operator guidance and c) the desirability to align some of the BSS hire boat requirements with the Hire Boat Code implementation.

The recommendation is to push back the implementation date by one year to April 2017 but to have all of the supporting materials developed by April 2016 and to recommend hire operators adopt early, where practicable.

91.4.6 *Hire Boat Code (HBC) – update on revision status and simplified stability testing -*  
The BSS Manager reported that since BSSAC last met the powered boat HBC has not moved forward significantly towards consultation.

In recent months significant further work has been undertaken sponsored by the BSS to develop a simplified stability testing annex of the current HBC. The project to convert the hire stability and freeboard test annex in the Hire Boat Code (HBC) to support operators self-certifying the stability of each hire boat, has proved to be a much more complex task than was originally planned/envisaged.

The BSS Manager said that at the request of the navigation authorities (BSSMC), the BSS supports two of the three consultants delivering the simplified testing and is supporting the supporting website. An overspend of BSS budget of around £40K this financial year has been agreed by the BSSMC Exec to allow the project to continue.

The aim is to produce a simple web-based facility that will lead the majority of hire operators through the testing process. A further BSS consultant is supporting the project with a LiveSite platform for use by hire operators to upload self-certified data and achieve confirmation of the stability of hire boats subject to either of the two simplified tests. BETA testing is due to start as soon as possible – most likely early New Year.

The BSS Manager reported other significant matters:

- a) Consultation on the revised HBC is envisaged during Spring 2016. It is anticipated that MCA will lead the consultation.
- b) The simplified stability testing regime cannot be applied to day hire boats and so it remains likely that these will need assessing by competent marine surveyors.
- c) The British Marine (BM) consultant is responsible to finalise the stability Annex to HBC.
- d) BM has started discussions with APCO regarding supporting BETA testing and training hire operator needs/implementation.

- e) The unpowered section framework is being developed. It is likely that implementation of any unpowered HBC will follow at least a year later than the powered boat code.
- f) A challenge by BM that BSS certification from day-one is unlawful under the RCD is being assessed by CRT's legal team.

## 91.5 BSSAC Terms of Reference and Members' Code

91.5.1 Members reviewed a refined near-final version of both documents. A few further minor refinements were agreed at the meeting and these have were to be incorporated into the documents provided to BSSMC for ratification or comment at the forthcoming next BSSMC meeting. The agreed text changes are listed here:

*Doc G1 ToR*, at H on page 4, last paragraph - The identities of individual member organisation representatives are not published by the BSS.

*Doc G1 ToR*, at K on page 5, last par ~~—In the event of planned or unplanned absences from meetings by the Chair, the BSS Secretariat will act as temporary Chair and will be subject to the same criteria.~~ Deleted because the at E, page 3 the following text is preferred: *In the event the BSSAC Chair cannot attend a meeting, members present will agree a temporary Chair for the meeting.*

*Doc G1 ToR*, at M (1) on page 6 - *issuing agendas, meeting support papers at least within two weeks in advance of any meeting.*

It is for the BSSAC Chair to agree the final version documents to be provided to BSSMC for ratification.

## 91.6 Review of BSS Hazardous Boat Notification procedures and the Gas Industry Unsafe Situations Procedure changes BSS

91.6.1 With reference to *Doc D1, BSSAC #91*, members agreed a new BSSAC work item proposed by the BSS Office, namely that in the first half of 2016 to conduct a review of the process and procedures to identify and control the risk presented by immediately hazardous boats, i.e. those with leaking fuel, leaking gas, heat damaged cables or presenting any other circumstance where an examiner has cause to suspect people or property may be or are in 'immediate danger' or 'at risk' due to faults in installations or appliances on a vessel being examined.

It was noted that the overall process review must cover the role of navigation authorities because it may be unreasonable to expect BSS examiners who attend boats once every four years to be solely responsible for identifying and controlling the risk. The role of the BSS Office is also to be reviewed as is the role and responsibility of boat owners in this respect. The position in respect of 'live-aboard' boaters was raised as needing to be taken account of in the review.

## 91.7 Report from BSSTC Chair

91.7.1 The report was largely taken as read.

The BSSTC Chair described the challenge being met by BSSTC members to achieve full confidence concerning the proposed new check for slip-resistant surfaces found on hire boats to have slip-resistant integrity. He expressed the view that this and the associated training of examiners (& hire operators) as to what constitutes degradation to an extent that the surface no longer has sufficient slip-resistant qualities, is both feasible and will remove subjectivity to a great extent.

91.7.2 Members also heard that the planned project to assess the effectiveness of hire boat Residual Current Devices (RCD) was delayed in view of the financial position the BSS found itself in as a result of supporting the hire boat stability work. The BSS manager said that the work was planned to take place from February.

## 91.8 Quarterly BSS Quality Management Activity Report

91.8.1 The report was largely taken as read.

There was a short discussion about the target to reduce by 50% the small number of examiners reporting no fail points. The explanation was in the context of BSSMC stating that they would take account of the inputs of examiners on Salesforce and therefore the need for those inputs to be accurate.

A further question was asked about the self-audit of the BSS Office against ISO 17020 and 17024 and the planned delivery of the BSS Examiner Development Strategy by May 2014. It was reported that the audit was 80% complete but that the strategy development was to await the start of the new member of BSS staff taken on to work alongside the BSS Quality & Technical Manager during his run down and beyond. The new member of staff is due to start January.

## **91.9 Report from the BSS Manager**

91.9.1 The BSS Manager referred to the quarterly incident report and features on petrol-related incidents on section 3.6, and the number of hire boats incidents this last summer.

The Chair asked for comments and members expressed disappointment that the quarterly incident report covered a period that ended as far back as July, whereas previous November meeting reports covered the period to November. Members also requested a summary concerning the number of hire boat incidents reported in the annex and questioned the usefulness of publishing collected navigation authority reports unedited, albeit that this exposed the poor quality of such reporting by navigation authority staff.

The BSS Manager committed to updating the incident report ready for the BSSMC meeting and to send a copy of the updated report to BSSAC members.

BSS Manager

91.9.2 The EA rep emphasised their petrol safety initiative supported by BSS and he referred to one incident where petrol was put into the toilet holding tank in error leading an explosion causing multiple injuries. He asked if marine industry leverage could be applied to the standards making bodies to ensure deck fitting had dissimilar keys.

## **91.10 Items for BSSMC**

Two specific subjects, a) the BSS hire boat consultation BSSAC comments and b) members' concerns about tenanted boats.

## **91.11 To agree the provisional dates of the 2016 BSSAC, at Hatton**

The following provisional dates were all agreed - #92 Tuesday 23 February, #93 Tuesday 7 June, #94 Tuesday 15 November

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

91.12.1 The Chair on behalf of the RYA rep asked what the BSS is going to do about the fact that the BSS petrol storage requirements now conflict with the new petrol regulations. The BSS Manager reported no movement on that due to higher priorities, although work is scheduled for January, February to take forward again with HSE.

91.12.2 The AWCC rep raised the subject of Calor Gas cylinders asked how often do Calor actually test cylinders for physical damage because he has come across two cylinder valves that would not seal. The BSS Manager offered to seek the answer from Calor..

BSS Manager

91.12.3 The NABO rep raised the start time of meetings and requested a later start time, but the status quo was agreed.

91.12.4 The BSS Manager raised the subject of the new BSS Examiner Safe Isolation Procedure, and the need to alert members to what is going on in the background with examiners who, for the safety of themselves and others, all examiners are currently undertaking electrical knowledge and understanding e-learning course and training, and then being assessed to a new safe isolation procedure for 230 volt AC systems.

He said that as a result of BSS reviewing its duty of care to examiners necessary, since introducing in 2013, a number of 230 volt AC checks . The outcome was the decision to introduce industry-accepted practices to help keep examiners safe from the potential for electrocution.

About half of examiners have so far been trained and assessed. He said that BSS are partners with NICEIC in this initiative, which is the body that looks after the competence of a majority, of electrical engineers nationally. All examiners are going through it, apart from the 2015 recruits, who were trained at Evesham to it. Examiners complete an online electrical awareness e-learning course and then attend a practical and assessment at regional locations, to validate their understanding of this safe isolation procedure.

The actual procedure (safe system of work) is to become an appendix to the Examination Checking Procedures, and very shortly the committees will help refine this draft document for inclusion.

BSS Manager

The BSS Manager went on to say that there are implications for boat owners, that the boat will need to be provided electrically 'dead', for examination, or the owner, or the owner's agent, will need to isolate the boat from the 230 volt AC systems prior to the boat being examined.