



BSS Advisory Committee – Confirmed Notes

BSSAC #100, 13 NOVEMBER 2018, CANAL & RIVER TRUST OFFICES, HATTON

Present:

Chair
BSS Manager & Secretariat
BSSTC Chair BSS Business and Technical
Manager

TBA

Navigation Authority reps:

Canal & River Trust
Broads Authority

Examiner Body reps:

YDSA
IIMS
NABSE
ABSE

Marine Trade reps:

BM2 - British Marine Hire Boats
BM3 - British Marine Boatbuilding

Boat User Group reps:

RBOA
IWA
AWCC
NABO

Apologies:

AINA
BM1 – British Marine Executive Interests
RYA Executive Interests
EA

100.1 Apologies and introductions

Apologies were listed as above.

100.2 Notes of last meeting

- 100.2.1 Notes of last meeting accepted with the amendment that a repeated sentence be taken out at the end of section 99.2.5, midway down page 3; '*Concerning third-party managed...*'.

Matters arising

- 100.2.2 **Hire Boat Code (HBC) development** - The BSS manager reminded members that the BSS role has been limited to supporting the navigation authorities with inputs concerning stability matters from various consultants. It remains unclear when public consultation will commence as the MCA has just announced that they are no longer in a position to honour their commitment to run the public consultation. The AINA-led working group are to consider other options.

It is now certain that no Navigation Authority will be in a position to implement the HBC as a licensing condition from April 2019. It is now considered that April 2020 will be the earliest it can be implemented.

There is no impact on BSS, other than the delay continues to shine a light on the BSS approach to hirer safety predicated on the concept of shared responsibility between hirers, hire operators and the navigation authorities, largely through the BSS fit-for-purpose elements. This approach is drawn from the HBC. This includes

concepts such as hire operators nominating Crew Areas and Crew Area Signs, for example.

The Chair summarised that they would express disappointment through BSSMC and recommend communication went out to Marine Trade to let everyone know what was going on.

- 100.2.3 **BSS Hire Boat Requirements and shared ownership boats** - The Chair anticipated a meeting with British Marine early next year. He added that it was for marine trade to bring forward a workable proposal and the aim is to agree with the industry what made a properly managed third-party shared ownership boat.

There was a short discussion regarding degrees of shared ownership and distinguishing third-party managed shared ownership boats from hire boats regarding risk management.

The BSS manager concluded that the BSS had a controlled situation where Examiners have been advised what to do and no complaints from operators were being received. There was a need to meet in the New Year to negotiate a resolution with the trade.

- 100.2.4 **Examiner 'Trusted Messenger' project** - The BSS manager reported a certain number of factors influencing how the project might look launched formally. Jigsaw were designing an online experience for owners. The survey would allow the user to input their normal practice and receive an instant score and feedback about how to change behaviour to represent best practice. The AWCC Rep said that there were still boaters who had no idea about the CO risk.

The BSS manager outlined summer survey indications that 89% of examiners saw providing safety advice as part of their role. He noted that partners in Trusted Messenger could also be fire officers. The BSS and the Trust were engaged with the National Fire Chiefs Council and Home Office Fire Safety Unit, trying to improve joint working and initiate a formal partnership and utilise Boat Fire Safety Week. Fire officers in Boat Fire Safety Week would go through the same Trusted Messenger training package as examiners.

The NABSE Rep suggested putting Fire Safety Week on the BSS website. The BSS manager stated that if London Fire Brigade were successful in their bid to undertake a massive CO monitoring project on London liveaboards, there would be a big social media campaign, inviting the committee to be involved and make suggestions for a comms package.

There was a short discussion around if perfectionism was causing a delay in launching Trusted Messenger and if Examiners were already delivering the message.

The need being a need to protect examiners from prosecution and potential insurance claims required consultation with examiner body reps. It was a good idea for the launch to coincide with BSS CO alarm requirements launch

Many boat owners not being present when examinations took place (the Chair explained that a form would be left with them detailing sources of CO).

The Chair concluded that most agreed it was a good idea and the question was about how it should be done. He was pleased that an interactive element was deliverable.

- 100.2.5 **BSS Examiner - Environment Monitoring Project** - The BSS manager reminded members that 13 volunteer BSS examiners made up the examiner environment monitoring project group and that the project began December 2017 and would likely continue until summer 2019. Its purpose is to monitor the environment presented to examiners to help assess any exposure to gas hazards during visits.

The Group had examined 2,397 boats since the project began and on 47 occasions the gas analyser device had activated, provided a warning about CO being present at over 10 parts per million. Detailed information, including liveboard status and ventilation, had been collected for all 47 activations and detailed analysis would take place once the project was finished. The highest recorded CO ppm was 246 on a Shetland weekend boat, with 2 hob burners and a grill burner with a similar reading with just the grill on. 13 out of the 47 known activations were grills only, and grills and hobs. All 13 examiners would come for an update session in mid-December where devices would be re-calibrated and oxygen sensors replaced, practical experience shared on best practice for the last winter of the project, and an end date confirmed.

100.3 Acknowledging the 100th BSSAC meeting – achievements of the BSS

100.3.1 Members acknowledged the achievement with a cake and a group photo



The Chair outlined the difficulty of advertising that no news was good news; he acknowledged that people did keep hurting themselves and each other and they responded to it to try to stop it happening again. He noted that when the Scheme started, nobody envisaged that boating would be a response to the housing shortage, or that fossil fuels would be running out and becoming increasingly unpopular. The BSS continued to change as the world changed around it. He invited the BSS manager to go through some specific achievements.



The BSS manager thanked members for their continued help and outlined that the BSS Advisory Group started in the mid-1990s to help the introduction of the Scheme. The earliest meetings taking place in London.

Around about 70 representatives have been members of the BSS Advisory Committee over the years, with the average tenure being around seven years. ***** and ***** are the longest standing members today, both started at the same time, at Meeting #59 in February 2007.

Early Advisory Group meetings were often contentious and conflict-ridden with a top-down approach from the then BSS manager. In 2001, a fundamental review took place to limit the impact of the BSS Standards with many turning into checks of condition. One outcome was to improve the constitution of the BSS Advisory Committee to the way it is now; namely being led by consensus working, taking account of various customer group interests, and recognition that good decision making required diverse input.

The BSSAC also introduced criteria that mandatory BSS checks must meet;

namely for checks to be clear and repeatable and ensure they matched the framework before they were agreed by the Committee as reasonable and supportable. Working groups started, and guidance from competent bodies was sought. A two-way flow meant that suggestions for change might come from data, but also bottom-up from committee members to the Committees. Amazingly, there was no independent chair until meeting #51 in 2005.

Now there is an acceptance that the Scheme provided the benchmark for boat safety for issues within their scope and BSS was a single point reference especially concerning the Stay Safe Campaign aimed at influencing safety behaviour

The NABSE Rep suggested that quenching a thirst for knowledge and improving the website would be an improvement. RBOA Rep suggested a checklist of gas, electrical, ventilation, in different categories. TBA Rep deemed the website user unfriendly. The BSS manager explained they had budgeted for a website in the mandatory migration from Salesforce Portal to Salesforce Communities, agreeing the current website was not best practice or very user friendly. There was an opportunity for a BSS committee subgroup to influence what that website looked like.

IWA Rep felt that when BSS started, it was for leisure boaters interested in boats, but now that users saw boats as just somewhere to live, he suggested they changed the way they worked. The NABO Rep reported that users went to forums asking about living on a narrow boat and were receiving bad advice, she asked if BSS could help provide good advice. The Chair felt they had already tried to adapt the Scheme to changing usage and that existing guidance covered all boat use. The BM2 Rep suggested engaging on Canal.World forums and with the free waterways press.

Broads Authority rep commended the Scheme for gathering representatives from all parts of the boating community so that they were able to voice opinions. She reflected that she learnt continually about what was happening elsewhere in the country and that the group's diverse representation should be applauded.

BSSTC Chair said that even though boats had been around for 200 years but there was always work to be done with changing technology, social requirements, general maintenance messages.

100.4 To note actions from the last BSSMC meeting

The Chair explained there was no physical meeting, but in the early summer BSSMC members discussed the CO alarm Risk Review and Assessment Paper, and the revised BSS Risk Management Process paper. Both papers achieved full consensus and the Risk Management Process was now ratified. CO alarm paper allowed the public consultation to go ahead from August 2018.

100.5 BSS CO alarms for boats

The Chair outlined that consultation closed 9 November 2018 and that the office had supplied *Doc D1* which outlined results in advance of the closing date.

The BSS manager said that *Doc D2* would be provided to members immediately following the meeting providing the final analysis of the responses. He reported that the percentages had not altered much. In total 259 were received and 84.2% of all respondents agreed the concept of introducing a requirement for the CO alarm because of the known third-party risk.

There was discussion around how representative the consultation had been. IWA Rep commented that the small sample size was normal. The Chair felt the expertise of BSSTC had made the outcome look inevitable. BSSTC Chair detailed that collecting the evidence concerning the third-party risk had caused an 18-month delay but that he was very comfortable with the consultation because it was informed. NABO Rep commented that it was technical to read through. The Chair noted that only seven responders utilised the option to step outside the online

response format. BSS Business and Technical Manager was encouraged that responses indicated no one group bombarded the consultation.

The Chair concluded that having gone through consultation, all issues raised would be remitted to BSSTC to work up the final version of the Examination Checking Procedures (ECPs) including by way of a further review of the responses received. The advice of BSSAC to BSSMC was recommend adoption of the proposals.

The proposed implementation timetable was also agreed:

Between 1 January – 31 March 2019

- *Implementation Strategy - A communications campaign will promote the final agreed changes, concentration upon what it means for boat owners. Namely, clear guidance on a) alarm selection, b) clear advice concerning where to locate the alarm(s) and c) what to do if the alarm activates.*
- *ECPs finalised - Any impacts from the consultation responses on the proposed ECPs to made known to BSSAC/BSSMC during January. The revised Boat Safety Scheme ECPs are finalised and incorporated within the published documents*
- *BSS Examiners are trained – Training to be online-based and validated during the planned LPG update training*

1 April 2019 – the revised requirements come into effect and are applied by BSS Examiners

May 2019 onwards - Continuous monitoring, with reports reviewed quarterly and annually at the BSS support committees

January 2024 – fundamental review of the revised requirements. Or sooner as decided by BSSMC upon guidance received from BSSTC/AC

BSSTC Chair asked members to look at the current version of the CO alarm checks and talk to BSSTC counterparts in their organisations, giving comments prior to BSSTC meeting on 27 November 2018. The BSS manager promised to distribute checks again, as extracted from the consultation documents.

BSS
manager

The BSS manager confirmed that training for examiners would be online and at the LPG update training there would be validation of the online training and added value information.

The Chair thanked everyone especially the BSSTC members for doing the preliminary work.

100.5 To note the outcomes of the recent joint BSS/AINA meeting

The BSS manager stated that the paper *Doc H1* was produced in the spirit of openness and transparency including issues the committee raised.

100.5.1 Tenanted boats - Regarding AINA licencing responsibilities set against the way the Scheme operated, the Chair reiterated his opinion that the Scheme could only follow the licencing requirements.

In response to a question from the AWCC rep the BSS manager stated that the navigation authorities achieved general consensus that 'tenanted boats should be treated the same as hire boats' and the AWCC Rep was keen that the BSS was not taking on new responsibilities. The BSS manager stated that if the navigation authorities wished tenanted boats to be treated in the same way as hire boats, they ought to identify tenanted boats within the licencing regime and that identified to Examiners that they were dealing with a tenanted boat.

IIMS Rep was unsure it was right to parallel tenanted boats with issues that led to the revised BSS hire boat requirements, such as down-flooding measurements and slip-resistant deck surfaces, but the AWCC Rep said it did not want another category. The Chair stated they would have to see what the navigation authorities determined.

The BSSTC Chair presumed they would move away from the 2002 ECPs and felt defining the scope of the package was most important, then looking at ECPs and associated risks, coming up with a package that suited. He challenged text in *Doc H1* that, '*Navigation Authorities cannot be expected to provide solutions for a societal problem*' stating that they could not absolve themselves of all responsibility.

NABO Rep said that tenanted boats included boats on short-term lets and overnight lets. She felt that boats outside London may be unduly affected by what was for them largely a non-issue. The Chair reported that hotspots were developing round the country and that it was difficult to acquire empirical data because some boat owners told tenants to be dishonest when questioned by authorities about their relationship. NABO Rep felt that the same arguments about risk could be made about new boat owners as tenanted boats and felt anecdotal narratives were getting wrongly associated with liveaboards. IIMS Rep did not believe it was a myth. The BSS manager cited the last paragraph, that '*there is no empirical data to support the tenanted issue*', continuing that BSSAC had raised a red flag and it was now being debated at the right level. He wanted the navigation authorities to drive meetings to take place and bring outcomes back through BSSTC to this committee.

100.5.2 **RCD II implications for licensing authorities** - YDSA Rep asked why Hampshire Trading Standards took the lead, the answer was that the BSS had a Primary Authority Partnership with Hampshire Trading Standards so advice was paid for.

100.5.3 **Reviewing the BSS Requirements for commercial classes – not hire boats –** The BSS manager reported that a small working group of AINA to scope project would be set up early in the New Year. The AINA/BSS meeting attendees considered that workboats could sit outside BSS but Canal & River Trust would have to input where workboats could sit. The Trust rep said any change suggestions needed to be driven at the Trust's Director level.

100.5.4 **Wellbeing** - NABO Rep reported that Islington had disallowed users to run engines or burn coal or electricity for heating and food. NABO Rep outlined the increased risk of people looking into dangerous alternatives for heating and food, including electric extension cables being used inappropriately. The BSS manager agreed it was not wise to close one risk and open another. The Chair asked if they should monitor this Islington wellbeing project. The BSS manager said he had raised wellbeing at the AINA meeting but there was no strong interest that BSS should become further involved with boat emissions or other environmental matters at this stage. The outcome was to keep a watching brief.

The BSS manager provided an update for members in the context of Defra's Clean Air Strategy consultation that had been held over the summer, the implications for inland waterways sector (not just navigation authorities) centred on pollution from solid fuel stoves. Also the potential pollution from engines for propulsion, heating, charging batteries etc. AINA subsequently engaged with Department for Transport (DfT) in order to ensure a joined-up approach.

DfT has convened a meeting on 26 November to discuss with CRT/EA/AINA DfT's commitment to publish a call for evidence which will explore options for standardising environmental regulations for vessels operating domestically within the UK, including inland waterways. DfT's aim being to establish a body of evidence to understand more clearly the scale of the emissions problem from vessels that do not currently fall within the remit of environmental regulations, which are currently mainly based on UK implementation of international conventions.

Canal & River Trust had the impression government were looking at IMO and when a ship was in port, users had to connect to a shore supply instead of running their generator. Future proofing the waterways was a huge and expensive commitment and he did not know who would pay for it. IWA Rep felt it was an assumption that the next great transport would be driven by electricity. NABO Rep raised mixing hydrogen to create clean energy.

100.7 Examiner Development Strategy Project Update

100.7.1 **Examiner training course** - BSS Business and Technical Manager stated that 77 individuals expressed interest to become an examiner and quality continued to remain high. There was regular communication on when course would start.

He reported that training developer Jigsaw were continuing their work and that hopefully the training course would be run by the end of April 2019

100.7.2 **Examiner performance monitoring** – including field assessment process would go on next year. They were unlikely to do 40 plus assessments because resources were being diverted to develop the training programme. Hopefully additional staff resource would be able to make examiner monitoring more consistent and effective.

100.7.3 **Effectiveness of BSS office for examiners** - The main finding in the examiner survey conducted July-August was that examiners had good feedback from the BSS office but it was often slow. It was planned to revisit the Service Level Agreement and BSS Business and Technical Manager asked for examiner bodies to be involved again. Other recommendations were Salesforce App development, new ways of monitoring examiner performance, post examination spot checks, and how to develop an examiner 'community'.

Examiner Survey results - YDSA Rep commented that during normal office hours, there should always be someone available. BSS Business and Technical Manager said the plan was to make better use of FAQs and other resources on an improved website, then they less calls would be necessary to the office. IIMS Rep suggested if the query was not a significant risk, the examination should be continued and the query flagged after the event.

The BSS manager said that examiners on site were generally well supported. YDSA Rep pointed out that 54% of examiners felt the response was inadequate. BSS Business and Technical Manager said this was why the BSS office wanted to review this.

AWCC Rep queried recommendations for action, 2a '*improve the speed of response when dealing with difficult customers*'. BSS Business and Technical Manager spoke to survey consultants Morale Solutions about this, and the feeling was Examiners felt the Scheme supported users rather than them.

IIMS Rep asked to see the full survey in detail. BSS Business and Technical Manager would check with the provider and find a version that could be circulated.

BSS
Business
&
Technical
Manager

100.8 BSSTC Chairs Report

100.8.1 The BSSTC Chair reported that the July meeting was extra due to workload. CO alarms featured and a task at next meeting was to finalise ECPs and agree them in order that the BSS CO alarm requirements consultation could be launched.

100.8.2 LPG tightness testing methods - The BSSTC Chair reported that the consultant's work was nearly done and that revised testing procedures should be reviewed at the next BSSTC meeting in late November.

100.8.3 The BSSTC Chair reported that Part 3 and Part 6 of the interim ECP review were about complete and that other Parts should be reviewed by April 2019.

100.8.4 The BSSTC Chair reported that BSSTC will review the format of the BSS Risk Register at the forthcoming meeting and once approved the register would be populated.

100.9 Quarterly BSS Quality Management Activity Report

100.9.1 With reference to *Doc F1*, the AWCC Rep asked for item 7.4 to be reinstated regarding the Cranfield University CO project that was on-going and had turned into a 4-year project, looking at caravans, use of solid fuel stoves, and barbecues, in and around boats. The study looked at blue sky ideas such as coal that did not emit any CO. The BSS Manager promised to reinstate the item in the report and

BSS

was expecting results May 2019.

manager

100.10 Quarterly report of incidents and accidents recorded from 1 January-31 October 2018

- 100.10.1 The BSS manager apologised for the lateness of the report. He reported that the numbers of incidents were down on last year to date but that fire fatalities were very bad with three so far this year. The office was looking to learn more and get more data to alert boaters as to the key risks.

In connection with the Staffordshire fire fatality involving the use of a solid fuel stove, the BM3 Rep asked about the broken catch on the stove in the context of the BSS ECPs, wondering if it would have failed at examination. The BSS manager felt there would have been a gap and so it would have failed a BSS examination on Advice Check 8.10.5.

Concerning the Boroughbridge boat fire fatality (3.1.2) the AWCC Rep referred to the fact that it could not be established what caused it. AWCC Rep felt the honest report showed it was difficult to identify problem areas.

The BSS manager reported that he had been invited to present at the next National Fire Chiefs Council's Home Fire Safety Committee in January and would be requesting proper co-operation leading to improved incident data, amongst other requests.

The BSS manager reported a very recent near-fatality incident in Bath caused by a gas cartridge picnic stove. The incident was likely to re-invigorate the message about not using picnic stoves in boats. The victim was keen to help with the BSS campaign once legal hurdles were overcome.

100.11 Items for BSSMC – BSSAC Chair

- 100.11.1 Issues around the BSS/AINA meeting agenda, such as tenanted boats, but the whole suite was important because it would require funding.

100.12 Dates of the 2019 BSSAC meetings for confirmation, all at Hatton

- 100.12.1 The following 2019 dates were confirmed - 5 March, 11 June, 12 November.

100.13 Any other business [AOB]

- 100.13.1 **Refillable gas cylinders** – The RBOA Rep reported that she had been informed people were refilling non-refillable gas cylinders, which was dangerous and illegal. The BSS manager looked into the subject and had found forums pointing to adaptor kits on eBay that enabled people to take a non-refillable cylinder to a petrol station to fill up with Autogas. There had apparently been one prosecution of a petrol station for allowing this. The BSS manager felt in a quandary because any press release advising against the behaviour could actually encourage more to follow the behaviour. The plan was to engage with UKLPG and Gas Safe Register and Calor Gas; for a joint decision and investigation and come up with a reasoned position on it.

BSS
manager

The Chair asked about the extent of the risk and the BSS manager said such activity could damage the cylinder valve thread or cylinder valve, it could also allow the cylinder to be over-filled by-passing the 80% stop-fill valve. This could put people including those in the bottling plant at risk. The Chair asked if this could be discovered during the routine examination. NABSE Rep advised to feel if the bottle was too heavy. BSSTC Chair stated that in hot weather there was no vapour space liquid LPG could escape into the pipework under bottle pressure.

- 100.13.2 **Fuel tank** – The Canal & River Trust Rep reported that a colleague's boat had been failed by a BSS Examiner because he had a stuck-on paper label for the fuel tank date of manufacture and pressure testing information instead of a welded one. The BSS manager asked Canal & River Trust Rep to contact him on this outside of

the meeting.

- 100.13. **Canal & River Trust Fleet Inspection** - Canal & River Trust asked if surveyor groups could express interest in the Trust's need to survey the work fleet, including hull thickness. None of the craft were coded as they had their own internal rules and regulations. Surveyor groups