

Boat Safety Scheme for Hire Boats
Report by Head of Safety Management

Summary: The report sets out the recently launched consultation on proposed changes to the Boat Safety Scheme requirements for hire boats. Members' views are sought on the proposed changes and the draft Broads Authority response to the BSS consultation set out in Appendix 1.

1 Background

- 1.1 The current Boat Safety Scheme (BSS) hire boat requirements are based on 2002 BSS standards which were replicated in the Broads Authority Boat Safety Standards Byelaws 2006 and subsequently adopted by the Authority in 2009.
- 1.2 Minor variations to the requirements relating to private boats have since been included but until now the standards applicable to hire boats have remained unchanged.
- 1.3 As the currently proposed changes differ materially from the standards as set out in the Broads Authority Boat Safety Standards Byelaw 2006 the Authority is required to consult on the proposed changes and this report is part of that consultation.

2 Review Process

- 2.1 Following the previous BSS reviews of the private boat requirements risk reviews in 2004 and 2012 and to take account of the Hirer Safety Review undertaken in 2013 the requirements relating to Hire Boats needed to be modernised to reflect these findings.
- 2.2 The initial part of the risk-review included the following review of BSS hire boat requirements through the BSS Technical Committee:
 - the existing published BSS private boat requirements were assessed for their appropriateness and relevance for hire boats.
 - the current BSS hire boat requirements published in the 2002 BSS standards that are in excess of the 2013 BSS private boat requirements were assessed for their continued relevance.

- the coverage of hirer safety published in the Hire Boat Code that were over and above the current BSS hire boat requirements were risk-reviewed
- 2.3 The BSS committees then took account of the findings of the 2013 Hirer Safety Review, which included an expert group agreeing what the biggest risks to hirers were and considered whether anything further should be done to reduce them.
- 2.4 The expert group included five hire operators including three narrowboat hire operators, a cruiser operator from the Broads and one from the Thames. The total length of hire operator service of these five was nearly 180 years. Also on the group were representatives from navigation authorities, marine trade and three boat hirers.
- 2.5 Full details of the Hirer Safety Review 2013 and the proposed changes to the BSS can be found on the <http://www.boatsafetyscheme.org/>

3 Proposals

- 3.1 As on the outcome from the recent reviews, the BSS are proposing to add the following six new mandatory BSS hire boat requirements:
- (a) suitable smoke alarm(s) on hire boats having overnight accommodation;
 - (b) suitable CO alarm(s) on hire boats having solid fuel stove installations;
 - (c) a visual indication concerning the risk of hirers being knocked overboard by the swing of the tiller arm on narrowboats;
 - (d) a labels identifying secondary means of escape where these are not self-evident;
 - (e) a Crew Area and Access Limitation Label in view of all main helm positions on all hire boats; and
 - (f) slip-resistant surfaces on designated external Crew Areas and the slip-resistant surfaces to be in good condition.
- 3.2 Also a proposal that the 2013 BSS private boat requirements are used as the basis of BSS hire boat requirements and that any requirements marked as advisory for private boats will be mandatory for hire boats due to hirers not being familiar with the boat and its systems thus requiring a greater level of risk control.
- 3.3 The 2013 BSS requirements provide for a modern, risk-based approach whereby greater emphasis on condition checks and the allowance of extra compliance options replace the more detailed technical requirements in the 2002 BSS standards.
- 3.4 The 2013 BSS requirements also better align with the current approach to balance the responsibilities of the navigation authorities with the responsibilities of the hire operators and hirers themselves.

4 Consultation

- 4.1 Whilst the Boat Safety Scheme has a requirement to consult those likely to be affected before implementation, the Broads Authority is also required to consult such bodies as appear to represent boating interests on its intention to impose construction standards.
- 4.2 A notice setting out the Broads Authority consultation was published in the Eastern Daily Press on the 9 September 2015 setting out the proposed changes and signposting the Boat Safety Scheme as the administrators of the consultation.
- 4.3 Letters were sent to the Royal Yachting Association, the Broads Hire Boat Federation, the Norfolk and Suffolk Boating Association and the British Marine Federation setting out the consultation and how to respond.
- 4.4 Latterly all licensed hire boat operators have also been advised of the consultation.
- 4.5 The consultation is due to close on the 13 November 2015 after which responses will be considered prior to the Authority adopting the standards.
- 4.6 Details of the consultation including all of the proposed new and amended requirements can be found at <http://www.boatsafetyscheme.org/media/273984/z1-proposed-bss-hire-boat-requirements-changes-consultation-2015-final.pdf>
- 4.7 The Boat Safety Management Group was consulted on the proposed changes at its meeting on the 15 September 2015. The group was supportive of the proposed changes.
- 4.8 The Broads Hire Boat Federation have submitted an early response which is largely supportive of the proposed changes with the exception of the proposal for a crew area and limitation label to be displayed at the helm where an alternative approach has been suggested.
- 4.9 The Broads Authority has drafted a response to the BSS consultation which is set out in Appendix 1.

5 Impact on the Broads Authority Registered Fleet

- 5.1 Whilst it is currently proposed to introduce the new BSS requirements from April 2016 this will only affect those boats that are either new to a BSS requirement or boats where their current BSS expires.

5.2 The table below sets out the number of vessels affected by year but does not include any projection of newly registered boats which have not previously been subject to a BSS examination.

2016	2017	2018	2019
108	163	182	469+

6 Looking Forward

6.1 The adoption of the proposed requirements for hire boats will then result in a three tier approach to the BSS. Non-Private boats, i.e. commercial boats and small passenger boats, will still be subject to the 2002 BSS requirements. Hire boats will be subject to the new BSS Hire boat requirements and Private Boats will be subject to the 2013 BSS requirements for Private Boats.

Background papers: None

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Broads Plan Objective: NA4.2

Appendices: APPENDIX 1 - Broads Authority draft response to BSS consultation

**APPENDIX 1 BSS consultation on proposed requirements for hire boats -
Draft response by the Broads Authority**

Question 1_ Do you agree the proposal to introduce six new BSS hire boat requirements?

Yes. *The new checks are proportionate to the risks and relevant*

Question 2 Do you agree that the 2013 BSS private boat requirements should be the basis of BSS hire boat requirements?

Yes. *It is logical to progress from the prescriptive nature of the 2002 requirements to a condition based approach.*

Question 3 Do you agree the proposal to proposal to amend a further five existing BSS hire boat standards?

Yes *they seem a logical extension to the proposed checks*

Question 4 Do you support the changes in full, without needing to answer any further questions?

Yes

Question 5 Do you agree that there should be a requirement for suitable smoke alarm provision on hire boats with overnight accommodation?

Yes

Question 6 Do you agree that there should be a requirement for suitable CO alarm provision on hire boats with solid fuel stoves?

Yes

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?

Yes

Question 8 Do you agree that each secondary means of escape should be labelled if it is not self-evident?

Yes

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?

Yes

Question 10 Do you agree that there should be slip-resistant surfaces in good condition on external Crew Areas where hirers are allowed to go?

Yes

Question 11 Do you agree that weed hatch requirements should also apply to those bow thruster hatches or any other appliances that can be opened by hirers?

Yes

Question 12 Do you agree that hire boat requirement for a means of reversing, operable from every helm position, should include outboard motors and all other power-driven propulsion systems?

Yes

Question 13 Do you agree that the current hire boat handrail/guardrail requirement should be brought in-line with ISO 15085 standard; and include 'handholds' at designated Crew Areas?

Yes

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?

Yes. *But we would question if this provision should be extended to MCA Category A and B waters*

Question 15 Do you agree that the hire boat standard for fire blankets should be amended to include that fire blankets must be permanently fixed in open view?

Yes

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

Yes

Question 17 Do you agree that there are no unintended consequences concerning introducing a specific proposal or on the generality of these proposals?

Yes