



Association of
Inland
Navigation
Authorities

The Modernisation of the Boat Safety Scheme - Consultation Response

The navigation authorities' response to comments on the consultation paper seeking views on proposals to modernise the Boat Safety Scheme including proposals to introduce revised requirements for privately owned vessels

November 2004

Summary by Ian White, Chairman of AINA¹

We would like to thank all the respondents for taking the time and effort to consider the consultation document.

The overwhelming response to the proposals was one of support. Inevitably there were extremes of opinion that either believed the Scheme had no purpose, or that the proposals will allow a complete diminution of safety standards on the waterway. Reassuringly these opinions were only offered in a tiny handful of responses. This contrasted greatly with attitudes to Scheme at the time of the 2001 review.

We are particularly welcoming of the views from the boat owner groups and the BMF that both see the proposals as being very satisfactory in principle. We welcome too, the confidence from these groups in the processes of the Scheme to resolve any issues in the detailed application of the Scheme as they arise by means of a fast-track appeals process.

There were a good number of refining points offered and some very useful comments will be taken forward to our BSS support committees. Because of the comments received, some decisions have already been taken, for example, it is agreed by the BSS Management Committee that the proposed general requirements for electrical systems and electrical propulsion systems can be combined where the coverage is repeated. Accordingly, proposed general requirements 11 – 14 will be removed. We also accepted the need for an additional general requirement for a current steam boiler inspection certificate and we agree that disabling redundant fuel fillers is appropriate to control the associated risks.

If there was one area of concern, it was the perception that the requirements will not be applied consistently. We recognise that more emphasis within the consultation document could have been made of the intention to publish clear and unambiguous compliance options, that examiners will follow checking procedures and check items linked to those compliance options and that examiners will not be expected to interpret any arrangements not meeting those compliance options.

In another area, we are conscious of the fact that improved accident and incident data is critical to our ability to monitor the success of the modernised Scheme and drive future initiatives.

Overall, we are confident that the proposals are in the right direction and will be widely welcomed in implementation.

Finally, we also join those respondents who wish to thank all the committee members, the experts and the various competent bodies we have consulted for their contributions to the process.

Once again thank you for your interest in helping shape the future of the Boat Safety Scheme and for giving much of your valuable time.

¹ AINA [Association of Inland Navigation Authorities] provides a single voice on waterway management issues for 30 member organisations including the three 'arge navigation authorities – British Waterways, the Environment Agency and the Broads Authority. AINA members between them own or manage some 5,000 km of waterway representing almost a complete UK coverage. Each member has its own constitution, aims and objectives and, in many cases, Acts of Parliament regulating the operation of its waterways.

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Introduction

Following on from the 2001 independent review of the Boat Safety Scheme and after extensive close collaboration with stakeholder groups, the navigation authorities' published a public consultation paper and invited views from all interested parties on proposals to help shape the future of the Scheme.

The paper set out proposals for modernising the Boat Safety Scheme including revised legal requirements concerning vessels that are both privately owned and privately managed. The aim of the modernisation is to provide for the efficient and effective management of those risks introduced by vessels that have been inadequately equipped or maintained and to guide vessel owners on matters of risk avoidance.

The public consultation ran for three months ending on 30 September 2004. Written comments received after this date were also considered.

In total 61 formal written comments to the public consultation document were received from the individuals and organisations listed on the following page.

This Consultation Response sets out the BSS Management Committee's response to the comments received during the consultation and follows the pattern outlined below in the sequence listed in the contents page.

All comments received have been considered and for ease of review, they are listed under the general question headings as they appeared in the original consultation document. Concerning each generic or individual comment received the navigation authorities' response is provided in the column alongside.

A copy of the full comments received is available upon request.

[Note that this document does not cover comments received from the HSE and CORGI, which are currently the subject of an ongoing consultation process.]

The individuals and organisations that provided comments on the BSS Consultation

Organisations		BSS Examiners		Boat Owners
Association Of Boat Safety Examiners (ABSE)	Inst of Marine Eng, Science & Technology (IMarEST)	Mr John Amos	Mr Brian Smith	Mr Kenneth Baker
Association of Waterway Cruising Clubs (AWCC)	Insurance, Financial & Legal Services Assoc	Mr John Bowen	Mr Paul Smith	Mr Tony Brooks
British Boating Federation (BBF)	International Inst of Marine Surveyors (IIMS)	Mr Mike Chambers	Mr Mike Thorpe	Mr Chris Fox
British Marine Federation (BMF)	Liquefied Petroleum Gas Association (LPGA)	Mr Andy Clarke	Mr Peter Wallace	Mr Jon Grimstead
Bristol City Docks	National Association of Boat Owners (NABO)	Mr Tim Crew		Mr Chris Groves
British Waterways (BW)	Residential Boat Owners Association (RBOA)	Mr David Crossland		Mr Kenneth Helliwell
Cruising Association (CA)	The Ripon Motor Boat Club	Mr Neal Dodd		Mr Allen Jones
Cleghorn Waring Pumps	Royal Yachting Assoc. (RYA)	Mr Bruce Evans		Mr Newbury
The Derby Motor Boat Club	SF Detection	Mr Ian Fletcher		Mr Andy Nurse
Driffield Navigation	The Steam Boat Assoc of GB	Mr Raymond Howe		Mr Andrew Phasey
Great Ouse Boating Assoc. (GOBA)	Vintage Wooden Boat Assoc	Mr John Hutley		Mr Colin Riggs
Great Glen Canal Users Association (GGCUA)	W&A Enterprises Ltd	Mr William Kirby		Mr Michael Riley
Inland Waterways Amenity Advisory Council (IWAAC)	Warwickshire Trading Standards	Mr Derek Liddington		
Inland Waterways Association (IWA)	The Waterways Ombudsman	Mr Robert Paul		
	Waterways Science Group	Mr Bill Rosie		

Question 1 - With regard to 4.4, does the framework for achieving the right balance between the responsibilities of the navigation authorities and the responsibilities of the individual boater succeed in its intention?

Overview of comments received – The vast majority of those expressing a view either way answered that the framework proposed achieved the right balance of responsibilities. [27 definite responses - 23 yes, 4 no].

Précis of issues raised

The issue of the effectiveness of measures aimed at promoting safe behaviour was raised.

Concerns were raised that some boat owners would not take account of safety information aimed at protecting themselves and would do nothing beyond what is required to get a BSS Certificate. In particular, two respondents commented that success remains to be seen and stressed the need to monitor the effectiveness of such an approach.

The effectiveness of the communication of the responsibility for personal safety and developing effective channels of communication was highlighted as requiring attention.

A change to the title of the BSS Certificate was suggested in order to help clarify and separate out the NA responsibility. Specific mention was made of a new owner of a boat and the need to make clear the balance of responsibility at the point of sale or navigation licence transfer.

Navigation authority (NA) response

We are confident that the approach adopted in respect of measures aimed at influencing behaviour will be effective and indeed represents the most effective approach.

We do not agree that owners will not take account of safety advice and we are confident that by encouraging a partnership approach to the provision of safety awareness information that the measures will be successful.

The effectiveness of the measures aimed at influencing boat owner behaviour will be monitored and we are conscious of the fact that improved accident and incident reporting is critical to our ability to monitor success accurately, [more later].

We accept the challenge to explain the balance of responsibility. The Scheme will actively promote the concept through the BSS Office and NA licensing offices, as well as develop partnership approaches to help explain and gain appreciation of it.

We agree that consideration of these suggestions is appropriate and will help clarify the balance of responsibility. It is intended that the name change suggestion together with the need for a clearly communicated separation of responsibilities will be covered within a communications strategy.

Question 2 - With regard to 4.5, do you believe that the key features for BSS requirements meet the objectives for fair, straightforward, equitable and reasonable regulation?

Overview of comments received – Almost all of those who expressed a definitive view agreed that the key features outlined at 4.5 met the objective for fair, straightforward, equitable and reasonable regulation. [23 definite responses - 22 yes, 1 no].

Précis of issues raised

Reservations regarding the issue of consistency between BSS examiners were raised in many of the responses.

Reservations about the perceived lack of, and, the need for, consistency between examiners were stated as an issue to a number of respondents. Generally, consistency is seen as an essential feature necessary to achieve the full confidence of boaters and maintain BSS credibility.

Two comments outlined the need to see the full details published to boat owners before making a judgement.

BSS Office was challenged to ensure that examiners are constantly updated regarding different ways of meeting the 'goals' particularly when these are of an innovative nature.

Adrian Birtles of the SBA commented that the importance of retrospective/non-retrospective application of latest safety practices (4.5.3) has, we believe, been under-estimated he preferred "avoid non-retrospective application of higher safety goals except..."

Reference 4.5. (1). Tim Crew, BSS examiner, suggested that the language of requirements must be not only 'simple & clear' but in addition 'unambiguous'

Navigation authority (NA) response

We are confident that the continued use of laid down checking procedures in support of the general requirements will deliver BSS examiner consistency and that accordingly the move to objective based general requirements will not lead to inconsistencies being introduced.

We absolutely accept that the perceived level of examiner consistency is as a measure of the credibility of the Scheme.

The compliance options and examiners checks will be published. It will not just help owners comply it will also help add confidence and reassurance that checking procedures are being applied consistently.

The BSS Office will ensure additional compliance options are published to examiners and owners. Because the currently published options for compliance are already comprehensive, we do not envisage that this task will be onerous.

We are confident that there are sufficient safeguards within the words of criterion 4.5 (3).

We agree that the suggestion to add the word 'unambiguous' to criterion 4.5. (1) for private craft adds clarity and the text will be amended accordingly.

Question 2 –cont/

Précis of issues raised	Navigation authority (NA) response
<p>Reference 4.5.1 (8). Tim Crew, BSS examiner, suggested BSS standards should not only be consistent with International Standards Organisation (ISO) standards they should comply with them fully regarding fire, explosion & pollution requirements.</p> <p>Derek Liddington, BSS examiner, believes that the original BSS requirements were fair & reasonable and that much has unnecessarily been lost in the Recreational Craft Directive (RCD) harmonisation.</p> <p>Reference 4.5.1 (10) Paul Homer GGCUA hoped that an appreciation of the intrinsic difference between different craft is recognised by the NA's when enforcing the scheme.</p> <p>Andy Nurse commented that although the overall aim is worthwhile, the aim is completely out of reach because the risks that are to be managed are essentially unknown. He criticised the process as follows:</p> <ul style="list-style-type: none">the lack of common reporting systems or systematic incident data;the 'Risk Assessment' process was flawed;the 'event occurrence probability' calculation linked to the occupied/in-use time, is unclear;the BSS Risk Review 'results' are not put into a meaningful context.	<p>We are confident that, where necessary, BSS requirements aimed at addressing fire risks the BSS requirements will accord with the relevant ISOs. In respect of those BSS requirements that do not directly apply the latest versions of ISO clauses the BSS position will be to recommend installations to current best practice and to liaise with the marine industry to help ensure this is applied by installers and equipment suppliers.</p> <p>The original BSS requirements remain an option to meet compliance. One of the drivers for modernisation was the need for navigation authority requirements to visibly accord with RCD to remove any perception of conflict between the two sets of regulations.</p> <p>We consider that the principle of less prescription and the acceptance of equivalence should allay any concerns on this score.</p> <p>The commissioned risk model's main value was to guide the overall process and act as a marker for future improvements.</p> <p>We accept that the major challenge for the navigation authorities is to develop improvements in data collection and we intend working in partnership to achieve meaningful data. Improvements in the means to report incidents have already made by BW, AINA and some independent data collection organisations.</p> <p>We accept that the future effective development of the Scheme will rely heavily upon the success of such initiatives.</p>

Question 3- With regard to 4.6. do you believe that moving away from detailed and specific standards to 'goal-setting' requirements is a suitable approach?

Overview of comments received – The majority of those who expressed a definitive view agreed that the move away from detailed standards towards 'goal setting' requirements is a suitable approach. [27 definite responses - 21 yes, 6 no].

Précis of issues raised

Once again, reservations regarding the issue of consistency between BSS examiners were raised in many of the responses.

Others were concerned that the approach may lead to a blurring of the current clear and understandable requirements and guidance and may lead to several visits to achieve a pass and so increase costs to owners.

Some questioned whose responsibility it would be to decide if the goal has been achieved and some assumed it the examiner's decision. One comment suggested that examiners might insist on changes rather than take on a risk themselves and another suggested that very few boat owners would appeal against the decision of an examiner.

Some examiners questioned whether increased inconsistency would increase their exposure in the event an accident occurs and some anticipated disputes between examiners and the BSS.

Navigation authority (NA) response

We are confident that the continued use of laid down checking procedures in support of the general requirements will deliver BSS examiner consistency and that accordingly the move to objective based general requirements will not lead to inconsistencies being introduced.

The current clear guidance to owners and the related laid down checking procedures for BSS Examinees will continue and the intention is to make these even clearer.

Examiners will not be interpreting compliance with 'goal setting' requirements. As today they will judge arrangements against the Scheme's checking procedures. The fast-track BSS Compliance Appeals Panel process will be available to boat owners where it is found that the arrangements on their boats do not match the published compliance options, but where they can present evidence of claims that their installations meet the general requirements.

Examiners will continue to be protected by published procedures.

It is anticipated that owners will rarely need to employ the safeguard of the BSS Compliance Appeals Panel because the BSS Guide already lists the variety of known compliance options in use. It follows that the process is most likely to be employed only when, unknown to the BSS Office, new products enter on to the market.

Question 4- With regard to 4.7, do you believe that in having immediate access to BSS office interpretation, independent appeals panels and access to representatives on committee structures, there are sufficient safeguards to ensure compliance is recognised or that non-compliance is accurately verified?

Overview of comments received – The majority of those who expressed a definitive view agreed that there are sufficient safeguards planned. [18 definite responses - 14 yes, 4 no].

Précis of issues raised	Navigation authority (NA) response
<p>Two comments outlined the need to see the full details of the safeguards before making a judgement. In précis, for each of the safeguards there needs to be published terms of reference and standards of service and a method of distributing decisions to examiners and owners.</p> <p>Three comments questioned whether the BSS Office was sufficiently resourced to meet the extra demands on them especially in the early phases of implementing the new approach.</p> <p>Several examiners wished to see improvements in the technical support for examiners and were of the view that there is an insufficiency of support causing inconsistency.</p> <p>One comment warned of the possibility for vexatious complaints that could over burden the compliance appeals panel.</p> <p>Two comments sort clarification concerning any overlap between the BSS Compliance Appeals Panel and the enforcement appeals processes of the navigation authorities.</p>	<p>The public consultation was intended to introduce a framework of safeguards and the comments received will be helpful to develop further the detailed structure and processes. We look forward to the recommendations from the BSS Advisory Committee (BSSAC) in this respect.</p> <p>We will be advised by the BSS Manager in matters concerning office staff resources.</p> <p>We are confident that planned improvements to introduce published levels of BSS Office service to examiners and improved availability of relevant technical information will support the aim for consistency.</p> <p>We believe the detailed compliance options and the need for documentary or supportable evidence will deter vexatious appeals. We would also be interested to receive additional guidance from the BSSAC on this matter.</p> <p>The two types of appeals processes are not directly linked. The BSS Compliance Appeals Panel supports BSS processes by making recommendations to the BSS Management Committee (BSSMC) on matters of equivalence concerning technological innovation and novel solutions. Some navigation authorities have their own appeals mechanisms safeguarding owners on matters of the enforcement of their own legal provisions.</p>

Question 4 –cont/

Précis of issues raised	Navigation authority (NA) response
<p data-bbox="125 276 1099 448">Three comments emphasised the need for improvements to the Scheme's management structure and processes. Particularly, concerning the effectiveness of the BSS committee structure and improvements in quality management system aimed at providing a customer service.</p> <p data-bbox="125 496 1099 600">Mrs M Howes of the Vintage Wooden Boat Association questioned whether members of the BSS Compliance Appeals Panel would be drawn from the home area of the appellant.</p>	<p data-bbox="1111 276 2078 379">The BSS committee terms of reference and constitution are currently under review and we look forward to the recommendations from the BSSAC in this respect.</p> <p data-bbox="1111 403 2078 475">Improvements in Quality Management aimed at enhanced examination practices, customer services and office procedures are planned for 2005.</p> <p data-bbox="1111 499 2078 635">We are keen to have a process that has the confidence of the user groups, marine trade and examiner bodies. We will seek recommendations from the BSSAC as to the make-up and constitution of the panel for consideration.</p>

Question 5- With regard to 5.3.1, do the proposed general requirements adequately represent the minimum necessary to help prevent explosion, fire, the spread of fire or pollution in respect of the duties of the navigation authorities

<p>Overview of comments received – Of those who expressed a general view, eight agreed that proposed general requirements adequately represent the minimum necessary and four did not agree.</p>	
<p>Précis of general issues raised</p> <p>The need to support the general requirements with specific guidance and checking procedures was raised.</p> <p>Tim Crew, BSS examiner, questioned whether requirements 1,7,11,16,20,27, merely restate the Scheme’s objectives.</p> <p>Paul Smith, BSS examiner and surveyor, suggested combining points 3, 4, 9, 13, & 25 into one requirement, thus reducing the general requirements by four.</p> <p>He asked whether general requirements covering main shut-off valves for fuel & gas systems were missed out.</p> <p>Brian Hayes of ABSE asked whether we should necessarily work only on minimum levels with safety.</p> <p>Len Barry of the Residential Boat Owners Association felt that separate 230v electrical requirements were warranted.</p> <p>Adrian Birtles of the Steam Boat Association, Paul Smith and Peter Wallace, BSS examiners, suggested amalgamating the two sub-sections on electrical systems & electrical propulsion systems into one.</p> <p>Three responses suggested emphasis be placed on clarifying that the term ‘portable combustion engines’ includes generators.</p>	<p>Navigation authority (NA) response</p> <p>We are confident that the updated BSS Guide text and examiner checking procedures will support the general requirements.</p> <p>Having reviewed the ‘umbrella’ general requirements in the light of this comment, we believe they add for owners both context and understanding and so they should be kept.</p> <p>Having reviewed the ‘marking’ general requirements (repeated at 3, 4, 9, 13, & 25) in the light of this comment, we believe that these should remain repeated and should not be amalgamated. We are confident that the proposed general requirements adequately cover the need for shut-off valves.</p> <p>The aim is to address known risks with both effective and reasonable BSS measures. Where this approach falls below current best practice the role of the BSS is to promote best practice to those adding appliances or modifying systems.</p> <p>Risks associated with 230v systems have been considered by the committees and are covered with the proposed general requirements for electrical systems.</p> <p>Having reviewed the suggestion to amalgamate the two sub sections, we agree that the repeated elements within the proposed general requirements for electrical systems and electrical propulsion systems should be amalgamated.</p> <p>We take note and are confident that the update BSS Guide text and examiner checking procedures will emphasise this point.</p>

Question 5 –cont/

<p>Précis of general issues raised</p> <p>Tim Crewe asked why "escape" should be included within the title 'Fire extinguishing and escape', as this has no relevance to the stated BSS goals.</p> <p>Three contributors expressed the need to cover noise pollution and implicit in these contributions was the suggestion that as pollution was an objective for the Scheme, noise pollution should be included.</p> <p>Chris Groves, customer supported requirement for addressing carbon monoxide risks and collision risks linked to the means of reversing.</p> <p>Ted Osborn of the Cruising Association expressed support for a requirement that signal pyrotechnics, oils & other inflammable materials be stored away from heat producing appliances.</p> <p>Mr Cleghorn of Cleghorn Waring Pumps identified the hazard of boiling water under pressure in an un-vented calorifier heated by an electric immersion heater. This he said is an explosion hazard unrelated to fire.</p>	<p>Navigation authority (NA) response</p> <p>We accept the logic of this comment but remain content the title should remain unchanged because the requirements cover the location of fire fighting equipment, which is linked to escape and is also supportive of the goal to prevent a fire from spreading.</p> <p>Noise pollution is not one of the stated objectives for the Scheme.</p> <p>We are confident that measures aimed at hazard awareness adequately and effectively address the risk presented by CO. The risk of collision is not one of the stated objectives for the Scheme.</p> <p>We agree that published BSS advice should cover the stowage of pyrotechnics.</p> <p>We agree that the provision of pressure relief valves and high temperature cut-offs on hot water tanks may be an issue for the BSS to cover in an appropriate way. We look forward to the recommendations from the BSS Technical Committee (BSSTC) in this respect.</p>
<p>Part 2 – Permanently installed fuel systems and fixed engines</p> <p>1. Adrian Birtles of the Steam Boat Association noted that steam propulsion (& pressure systems generally) is not mentioned specifically</p> <p>2. The Historic Narrow Boat Owners Club referred to previous clarification that general requirement should refer to 'unseen spillage'.</p>	<p>Navigation authority (NA) response</p> <p>We have requested guidance from the BSSTC as to whether a boiler burst is an explosion and therefore covered by general requirement 1. Notwithstanding the above, we accept the need for an additional general requirement requiring a current steam boiler inspection certificate.</p> <p>We are confident that the updated BSS Guide text and examiner checking procedures will adequately clarify the scope of this general requirement.</p>

Question 5 –cont/

<p>Part 2 – cont/</p> <p>3. The LP Gas Association saw no point in labelling LPG fuel filling points for the fuel in use. LPG systems are sealed pressure systems. Petrol/diesel fillers cannot be mated with LPG filling points.</p> <p>3 & 4. Paul Smith, BSS examiner, & surveyor, preferred 'The type of fuel & emergency arrangements such as fuel shut-off to be clearly available.'</p> <p>4. Tim Crewe, BSS examiner, preferred, 'Marking be provided to identify the location of fuel system emergency shutoff devices & their means of operation' to better identify the device to anyone unfamiliar with the boat.</p> <p>6. Tim Crewe, BSS examiner, preferred, 'All permanently installed fuel systems & fixed engines must be accessible for inspection' to ensure the whole system is accessible.</p>	<p>Navigation authority (NA) response</p> <p>We believe that the provision of marking at the LPG filling point informs as other fuel filler markings and the proposed requirement should be kept.</p> <p>We are confident that the text of the proposed general requirements is sufficiently clear and robust.</p> <p>This suggestion appears to go beyond the coverage of recognised international standards and we would be reluctant to accept the amendment other than to incorporate it within published guidance.</p> <p>This suggestion appears to go beyond the coverage of recognised international standards and we would be reluctant to accept the amendment other than to incorporate it within published guidance.</p>
<p>Part 3 – Electrical systems</p> <p>8. Paul Smith, BSS examiner and surveyor, preferred, 'All electrical circuits to include overcurrent protection (except engine starting), with provision to easily disconnected non-essential circuits' to ensure circuits directly wired to the battery are protected.</p> <p>9 Paul Smith, BSS examiner and surveyor, preferred, 'The electrical emergency arrangements (such as battery master switches) to be clearly available'.</p> <p>9 Tim Crewe, BSS examiner, commented as per 4 above.</p> <p>10 Tim Crewe, BSS examiner, suggested that the requirement has no meaning if it is not 'adequately' being defined. He preferred 'all battery compartments [...] must be ventilated sufficiently to prevent any build-up of flammable gases'.</p>	<p>Navigation authority (NA) response</p> <p>We are confident that the text of the originally proposed general requirement is sufficiently clear and robust.</p> <p>We are confident that the text of the originally proposed general requirement is sufficiently clear and robust.</p> <p>Response as per 4 above.</p> <p>We are confident that the update BSS Guide text and examiner checking procedures will provide the definition required, however we agree that the suggested text amendment adds clarity and general requirement will be amended accordingly.</p>

<p>Part 4 – Electrical Propulsion system</p> <p>13 Paul Smith, BSS examiner and surveyor, commented as per 9 above.</p> <p>13 Tim Crewe, BSS examiner, commented as per 4 and 9 above.</p>	<p>Navigation authority (NA) response</p> <p>Response as per 9 above.</p> <p>Response as per 4 above.</p>
<p>Part 5 – Outboard and portable combustion engines and portable fuel systems</p> <p>17 Tim Crewe, BSS examiner, questioned whether 17 & 18 could amalgamate, by adding to 18, '...and all portable tanks & containers'. 17 could then be removed.</p>	<p>Navigation authority (NA) response</p> <p>In the interests of added clarity and understanding, we do not support the amalgamation of requirements 17 & 18.</p>
<p>Part 6 – Fire extinguishing and escape</p> <p>18 Paul Smith, BSS examiner and surveyor, preferred, 'All vessels must carry sufficient fire-fighting equipment'.</p> <p>18 Tim Crewe, BSS examiner, preferred, 'Fire fighting equipment must be carried that is suitable & of sufficient capacity to handle likely fire risks.'</p>	<p>Navigation authority (NA) response</p> <p>We are confident that the text of the originally proposed general requirement is sufficiently clear and robust.</p> <p>We are confident that the text of the originally proposed general requirement is sufficiently clear and robust.</p>
<p>Part 7 – LPG systems</p> <p>24 Tim Crewe, BSS examiner, suggested replacing the 'or' with 'and' in this general requirement otherwise, the valve might be readily accessible but the means to operate it might not, but the requirement would still be met.</p> <p>25 Tim Crewe, BSS examiner, commented as per 4, 9 and 13 above.</p> <p>25 Paul Smith, BSS examiner and surveyor, preferred, 'The gas emergency arrangements (such as shut-off valves) to be clearly available.'</p>	<p>Navigation authority (NA) response</p> <p>We are confident that the text of the originally proposed general requirement is sufficiently clear and robust.</p> <p>Response as per 4 above.</p> <p>We are confident that the text of the originally proposed general requirement is sufficiently clear and robust.</p>
<p>Part 8 – Appliances and flues</p> <p>28 Paul Smith, BSS examiner and surveyor, suggested that a 'safe distance' from the appliance is not always achievable, and preferred, 'All liquid-fuelled appliances must have an emergency shut-off valve'.</p>	<p>Navigation authority (NA) response</p> <p>The suggestion would not address arrangements whereby the valve is immediately behind the appliance and hence inaccessible in the event of a fire.</p>

Question 5 –cont/

<p>29 Tim Crewe, BSS examiner, suggested that <u>all</u> appliances should be fitted with flame supervision devices in accordance with the published ISO standard.</p> <p>31 Tim Crewe, BSS examiner, suggested that it is not good practice for a standard to be defined through other parts of the same standards and challenged whether this requirement needs to be explicitly stated.</p>	<p>The position on flame supervision devices is being reviewed in the light of evidence of a substantial number of incidents over recent years. This evidence has become known because of this consultation. We will seek recommendations from the BSSAC/TC on this matter for consideration.</p> <p>In the interests of added clarity and understanding, we have decided to keep general requirement 31 un-amended.</p>
<p>Part 9 Pollution prevention</p> <p>33 Tim Crewe, BSS examiner, stated that it is not clear why this requirement is limited to propulsion engine equipment and preferred, ‘Any leakage of fuel or oil from propulsion engine equipment or other appliances must be contained’.</p> <p>34 Tim Crewe, BSS examiner, identified that all other sections, apart from fire extinguishing & escape section, include as the first requirement a more general overriding requirement and he also considered the term "avoidable" is redundant in requirement 34 as clearly nothing can be done to prevent "unavoidable pollution". He preferred, ‘All systems must be designed, installed & maintained to minimise the risk of pollution.’</p>	<p>Navigation authority (NA) response</p> <p>We will further review why the requirement addressing the containment of fuel and oils is restricted to ‘propulsion’ engines. We will seek recommendations from the BSSTC/AC on this matter.</p> <p>We will further review the desirability to introduce general ‘umbrella’ general requirement for pollution prevention.</p>

Question 6- With regard to 5.4 we would welcome your views on the reasonableness and practicality with regard to the changes to the existing BSS Standards and the proposed means of compliance detailed in Annex A1.

Overview of comments received – the majority of those who expressed a general view broadly supported the proposed changes as reasonable and practicable.

Précis of general issues raised

The need to make clear that the general requirements will be supported by specific guidance on compliance and checking procedures was raised, together with the need to ensure this supporting material is effective.

Brian Hayes, ABSE, and Andy Clarke, BSS examiner, raised concerns that examiners should not be required to issue safety advice to boat owners as providing advice is seen as the job of the licensing authorities

Brian Hayes, ABSE, was not supportive of introduction of personal safety checks and argued that these items should be fully included as mandatory requirements if they meet the criteria for the NA's objectives or they should be removed.

Paul Smith, BSS examiner and surveyor, agreed with the concept of PSCs and that these should cover cabin ventilation, flue performance, danger from electrical shock, prevention from falling overboard, means to recover crew overboard, means of escape, safety glass. However, he recommended that the BSSC must clearly show whether a PSC has been conducted & if so, whether the boat passed or failed. This enables to current boat owner, insurance company & new boat owners to be fully aware of the scope of the certificate.

Navigation authority (NA) response

We are confident that updated BSS Guide text and examiner checking procedures will adequately support the general requirements.

Modern regulation takes the form of a combination of mandatory requirements and risk avoidance information. Where the BSS procedure is to leave published information with the owner at the time the potential hazard is identified the examiners must follow the procedure.

The proposed checks may not necessarily support the objective for the Scheme to help prevent fires but they fully support the objective we have for the Scheme to assist boat owners identify, understand and control the risks for which they have a responsibility.

We agree in principle with Paul's comments; anyone using the certificate should clearly understand its scope. We will seek recommendations from the BSSAC on this matter for consideration.

Question 6 –cont/

John Hutley, BSS examiner, said it must be appreciated that in a large number of examinations there is little personnel contact between the examiner & boat owner so any advisory role for the examiner is not immediately appropriate.

Derek Liddington, BSS examiner, questioned whether removing much of the need to comply will likely open the Scheme to claims for works done that are now deemed unnecessary.

Kenneth Helliwell, customer, commented that no matter how long & comprehensive the regulations are they will not prevent fires caused by behavioural influences.

Alan Jones, boat owner, asked where a paragraph of the existing BSS Standard is not referenced in Annex A1, should it be assumed that it would be retained without change?

Tim Crewe, BSS examiner, suggested safety is about preventing accidents from happening, he was concerned that the changes represented a change shift of focus from preventative to reactive.

Adrian Birtles, Steam Boat Association, considers that the full BSS inspection & certification process cannot be justified. A simpler method of checking compliance should be adopted for steam launches.

Adrian Birtles, Steam Boat Association, identified potential conflict in the objectives for the Scheme between ensuring spillage overboard and avoiding pollution.

Ted Osborn, Cruising Association, emphasised that just because a standard is difficult to check should not be a prime reason for removal.

As above, the procedures will not presume personal contact with owners; the procedures will be met by leaving information on the boat or sending it to the owners.

Our view is that claims will not ensue. Firstly, The amount of change proposed is not significant. Secondly, the works undertaken will continue to comply with the Scheme's requirements. Lastly, owners will recognise that the Scheme must be able to change to reflect current needs.

It is hoped to address behavioural causes by way of the promotion of risk awareness/avoidance information.

The answer is yes, anything not listed should remain unchanged. Annex A1 lists the proposed changes to the current standards and the proposed changes to the existing ways of meeting compliance.

We support the proactive approach. We have asked the BSS to implement a growing programme promoting the everyday compliance with the general requirements. Modernisation will see more of this approach rather than less.

We would be interested to learn of the SBA's suggestions in this field.

The current position is that fire risks outweigh the limited pollution risks and this position is detailed in the BSS Guide.

This principle is agreed and in practice, the process undertaken prior to public consultation was to balance the criteria set out at 4.5.

Question 6 –cont/

Part 2 – Permanently installed fuel systems and fixed engines

2c Five BSS examiners expressed concern about to accept diesel fuel filler hose not marked as suitable nor supported by a declaration to be compliant, subject to a check of condition.

2d Alan Jones, owner, and Will Kirby, BSS examiner, suggested the retention of the requirement for fuel filler hoses to be adequately supported.

2e Two examiners commented, one suggested it will enable builders to continue to build boats with inaccessible fill connections and the other said it would make it difficult for examiners to assess connections for leaks.

2g Eight responses were received advocating that marking all deck filler connections (as opposed to just the fuel fillers) should be retained as a mandatory requirement on the grounds of low cost and compared to enhanced benefits. Andy Nurse believed marking to be unnecessary.

2g Jeff Watson, LPGA, saw no point in labelling LPG fuel filling points for the fuel in use. LPG systems are sealed pressure systems. Petrol & diesel fillers cannot be mated with LPG filling points.

2h Four comments were received advocating that unused filling points should be disabled in such a way that there is no possibility of fuel being inadvertently put into them.

2k Three examiners repeated concerns they raised at 2c for vent hoses.

2q John Hutley, BSS examiner, asked whether the former exemption was now to be applied to all vessels or just those with the stated former use.

2t Robert Paul and Will Kirby, BSS examiners suggested retention of this check because it is complied with easily & does prevent possible damage to a weak tank.

Navigation authority (NA) response

We are confident that the check of condition of hoses along their entire length will adequately address the risk. The BSS will actively promote hose to the appropriate ISO for new builds and craft being re-fitted.

We are confident that the check of condition of hoses for damage and deterioration will adequately address the risk.

The change at 2e accords with the relevant international standard and we are confident that change will adequately address the risk.

This suggestion appears to go beyond the coverage of recognised international standards and we would be reluctant to accept the suggestions other than to incorporate it within published guidance.

Although we accept the logic of this comment we believe the provision of marking at the LPG filling point, as with all fuel filler markings, 'informs' including staff at fuel stages or emergency services & should be included.

Having reviewed our position the light of these comments we agree that disabling is the appropriate method to control the risks presented by redundant fuel fillers. We believe the impact for any boat owners affected will be minimal. Suggested methods of compliance and the details of the examiner's check, will be published in new BSS guidance.

Response as per 2c.

The words of the exemption will remain but as a compliance option, hence it will apply only to those vessels formerly used as a as a tug, etc.

We are confident that the check of condition of tanks for damage and deterioration will adequately address the risk.

Question 6 –cont/

2u –Tim Crewe, BSS examiner, asked if there was any difference from the previous requirement for ready accessibility.

2w John Hutley, BSS examiner, asked whether plumbing water drain cocks are acceptable as a fuel tank drain facility.

2y Will Kirby, BSS examiner, could not agree with the change because of the lack of control facility to shut off a failed pipe.

2dd Robert Paul, BSS examiner, and Alistair Reid, GOBA, considered the fuel cock should be close to the tank.

2ee John Hutley, BSS examiner, recognised in extreme circumstances of a fracture spill line and a broken stop cable that the engine will not stop if the supply from the fuel tank is only fitted with anti-siphon valve as the running engine will continue driving the lift pump sucking fuel through the anti-siphon.

2gg Three comments were received advocating that the means of reversing requirement should remain.

2hh–Tim Crewe, BSS examiner, and Len Barry, RBOA, considered an engine stop close to the engine should be mandatory check.

2ii Three BSS examiners suggested that the removal of the check for effective cylinder/exhaust cooling to be wrong on the basis of the fire risk.

2jj Four BSS examiners thought this proposal to move the lagging requirement into a PSC to be wrong based on the fire risk. ABSE were of the view that PSCs should not be introduced.

The change aligns the requirement with the recognised international standard.

We will further review the appropriateness of plumbing water drains as fuel tank drain facilities and would be interested to receive the recommendations from the BSSTC/AC on this matter.

We are confident that the check of condition of balance pipes and connections leaks and damage will adequately address the risk.

This suggestion appears to go beyond the coverage of recognised international standards and we would be reluctant to accept the amendment other than to incorporate it within published guidance as best practice.

The BSS requirements should be based upon known risks. The risk model did not identify any incidents matching the circumstances outlined.

This would not meet the stated objectives for the Scheme to help prevent fires, spread of fire, explosion and pollution. However, the need for effective controls could remain within published NA guidance.

Response as per 2gg.

We will further review the position on effective cylinder/exhaust cooling and exhaust lagging in the light of consultation comments received and would be interested to receive the recommendations from the BSSTC/AC on this matter.

As 2ii.

Question 6 –cont/

<p>2kk Five comments were received suggesting that exhaust silencing should be retained on the grounds of noise pollution prevention. Andy Clarke, BSS examiner, asked if removing this standard removes the requirement for any exhaust to be fitted.</p> <p>2ll Four comments were received on the proposal to remove the requirement for a current pressure system insurance policy. Most were requesting clarity.</p> <p>2mm Jeff Watson, LP Gas Association, welcomed the reflection of technology. However, he considered that the term manufacturer would need to be carefully defined.</p> <p>2mm Will Kirby, BSS examiner, asked if it would be for the examiner to determine correct installation.</p>	<p>Noise pollution is not one of the stated objectives for the Scheme. In consulting with the navigation authorities, a risk approach based on their experience and customer comments indicates that poor silencing of propulsion engines is not a significant problem.</p> <p>Removing the previous BSS requirement for proof of insurance is warranted because, failing to meet the requirement, does not introduce a hazard. The separate requirement for current steam boiler inspection certificate issued by a recognised competent person remains.</p> <p>The BSS will work with the LP Gas Association to ensure an appropriate definition.</p> <p>Compliance with the LP Gas Association Code of Practice No. 18 will continue to be carried out through special arrangements with the BSS Office.</p>
<p>Part 3 – Electrical systems</p> <p>3a Two comments questioned what constitutes adequate ventilation.</p> <p>3c Five comments were received expressing the importance of cable sizing in addressing fire risk. Len Barry, RBOA, recommended making available advisory literature and Peter Wallace, BSS examiner, suggested that the adequacy of current carrying capacity be included as a PSC to, if only to advise the owner to seek further advice from a competent electrician.</p> <p>3d Two comments were received, Chris Deuchar, Waterways Science Group, considered that except for bilge pump cables, cables below bilge water level should not be allowed regardless of the international standards whereas British Waterways commented that IP67 enclosures were appropriate in this application.</p>	<p>Navigation authority (NA) response</p> <p>This is currently under review and the outcome will find itself into published guidance and checking procedures.</p> <p>It was agreed to review further the position on cable sizing upon the receipt of the report from a competent authority.</p> <p>The change at 3d accords with the relevant international standard and we are confident that change will adequately address the risk.</p>

Question 6 –cont/

3f Tim Crewe, BSS examiner, considered that relaxation leads to a foreseeable risk of fire & explosion.

3g John Hutley, BSS examiner, suggested the need to specify what cables are covered by the requirement 230/12v, telephone, aerial, audio, etc.

3h Five comments were received indicating that the risk where PVC touches polystyrene was still current or questioning why the proposal was made.

3i Tim Crewe, BSS examiner, considered that this might allow connections that are not fit for the purpose and so may lead to a risk of fire.

3j Three comments were received suggesting the requirement should remain or non-protected equipment removed from petrol/LPG spaces.

3k Three comments were received advocating continuing a requirement for two-wire insulation mostly on the grounds of hull corrosion but also concerning fire or injury risks.

3l Chris Deuchar, Waterways Science Group suggested a requirement for suppressed equipment should be retained.

3m, n & o Four BSS examiners commented upon the proposed personal safety checks (PSCs) arguing that they should either be introduced as mandatory requirements because they support the navigation authorities stated objectives or they should be removed.

3m, n & o Andy Clarke, BSS examiner, asked how examiners unfamiliar with mains electrical systems be trained to carry out new checks.

We are confident that the check of condition of wiring lines near sources of heat will adequately address the risk.

We are confident that the updated BSS Guide text and examiner checking procedures will clarify what types of cables are covered by the requirement.

We are satisfied that grades of PVC sheathing produced for the past 20+ years have not been susceptible to chemical attack from polystyrene. We are confident that the check of condition of will adequately address the risk.

We are confident that the updated BSS Guide text and examiner checking procedures will adequately identify what is or is not acceptable.

We are convinced that the proposed position to monitor the availability of ignition-protected equipment and review incident data is an appropriate course of action especially when considered that equipment to previously stated standard BS EN ISO 28846 does not exist in this market.

It was agreed to review further the position on two-wire insulation upon the receipt of the report from a competent authority.

This would not meet the stated objectives for the Scheme to help prevent fires, spread of fire, explosion and pollution. However, the need for suppression could be addressed through NA guidance.

The proposed checks may not necessarily support the objective for the Scheme to help prevent fires but they fully support the objective we have for the Scheme to assist boat owners identify and control the risks for which they have a responsibility.

We will ensure adequate training and instruction.

Question 6 –cont/

<p>Part 4 – Electrical propulsion system</p> <p>4c Chris Groves, customer, advocated that the means of reversing requirement should remain.</p> <p>4e Peter Wallace, BSS examiner, suggested that the 3-core requirement should be retained within a PSC.</p>	<p>Navigation authority (NA) response</p> <p>This would not meet the stated objectives for the Scheme to help prevent fires, spread of fire, explosion and pollution. However, the need for effective controls could remain within published NA guidance.</p> <p>We are confident that the check of condition of cables will adequately address the risk.</p>
<p>Part 5 – Outboard and portable combustion engines and portable fuel systems</p> <p>5a –Will Kirby, BSS examiner, advocated keeping the requirement to separate deck fillers to ensure no cross contamination.</p> <p>5c John Hutley, BSS examiner, suggested referring to hybrid systems here - fixed tanks supply outboards & portable tanks supplying inboards.</p> <p>5e Will Kirby, BSS examiner, suggested the existing requirement not to accept modifications should remain otherwise the DIY boat owner would be permitted to produce their own unsafe system & argue the fact that it meets the requirements.</p> <p>5f Will Kirby, BSS examiner, suggested that concerns about portable tanks not built to any 'recognised standard' justifies keeping the no modifications requirement at 5e.</p> <p>5g Tim Crewe and Will Kirby, BSS examiners, argued that removing the requirement for marking portable tanks with the type of fuel is inconsistent with the requirement for deck connections to be required to be marked with the type of fuel (2g)</p> <p>5i Chris Groves, customer, suggested that the requirement for exhaust silencers to be effective should be retained.</p>	<p>Navigation authority (NA) response</p> <p>(Also relevant to 2f.) This suggestion appears to go beyond the coverage of recognised international standards and the appraisal process used prior to public consultation identified no known risk.</p> <p>We will further review hybrid arrangements and would be interested to receive the recommendations from the BSSTC/AC on this matter.</p> <p>We are confident that the updated BSS Guide text and examiner checking procedures will adequately identify what is or is not acceptable.</p> <p>We are confident that the updated BSS Guide text and examiner checking procedures will adequately identify what is or is not acceptable.</p> <p>The risks are not comparable. By way of illustration the removing the requirement for having portable tanks marked does not increase the likelihood that say water will mistakenly be put into the portable petrol tank, whereas at 2g the risk is enhanced because there maybe many deck fillers of similar appearance and location.</p> <p>Noise pollution is not one of the stated objectives for the Scheme.</p>

Question 6 –cont/

<p>Part 6 – Fire extinguishing and escape</p> <p>6a Andy Clarke, BSS examiner, commented that service labels are impractical to verify, being labels attached to the body of extinguishers there will be no way to determine whether any dates or initials relate to a genuine test.</p> <p>6a Neil Dodd, BSS examiner, considered the proposal to be heavy handed approach to and felt it would be appropriate to assess an extinguisher to be sound in all respects (as per the checking now).</p> <p>6b –Tim Crewe, BSS examiner, commented that this proposed change merely perpetuates old practice & complicates the scheme for owners. The BSS should provide clear, simple requirements.</p> <p>6c Five comments were received with slightly differing points asking how the numbers ratings were achieved, some suggesting the total capacity is too much and some too little, and some suggesting a bucket of water is more effective.</p> <p>6d Tim Crewe, BSS examiner, thought that the proposal leads to a foreseeable risk of fire & explosion.</p> <p>6e Len Barry, RBOA, was concerned that portable fire extinguishers stowed out of sight may not remain easily reached & clearly marked & would recommend that their location is visible.</p> <p>6f Two comments were received concerning advocating the requirement for the ready accessibility a fixed fire extinguishing remote release to be retained.</p> <p>6g Will Kirby, BSS examiner, believes that the existing standard should remain as it slows down the spread of fire with the obvious advantages.</p>	<p>Navigation authority (NA) response</p> <p>We are confident that the updated BSS Guide text and examiner checking procedures will adequately identify what is or is not acceptable.</p> <p>If a manufacturer decides an expiry date to be appropriate then we believe we are compelled to take account of this. This position is supported by the fire industry competent bodies.</p> <p>Accepted, but for those owners who have very effectively maintained old extinguishers meeting the previous weight requirements, there is no reason to disallow them.</p> <p>We are confident that the laid down fire extinguisher number/capacities are sufficient and will continue to be guided by competent bodies, such as the Fire Protection Association, in this respect.</p> <p>We do not agree. The current check is for both a keyhole and suitable extinguisher for flooding the engine space by using the keyhole readily to hand. Unfortunately, portable extinguishing equipment is not available to allow compliance with the current requirement. Guidance is published in the BSS Avoiding Fire Afloat leaflet about fire in engine spaces.</p> <p>We accept that extinguishers in clear view is the ideal, but we are confident that the updated BSS Guide text and examiner checking procedures will adequately identify what is or is not clearly marked.</p> <p>With no requirement for fixed systems, it is illogical to have in place a mandatory requirement for the means of operation. The desirability of fixed systems should be covered in guidance.</p> <p>This suggestion appears to go beyond the coverage of recognised international standards and we would be reluctant to accept the amendment other than to incorporate it within published guidance.</p>
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Question 6 –cont/

<p>6i Will Kirby, BSS examiner, believes that the existing standard should remain as it could be verified by a letter from the supplier/manufacturer that the materials used were of the fire resistance quality required. Ted Osbourne, Cruising Association, and John Baggs, AWCC, thought the proposal to remove this standard to be contrary to the navigation authorities' stated responsibility to prevent spread of fire.</p> <p>6j Four comments were received, half suggesting the mandatory requirement should be retained and half suggesting that if the requirement does not support the objectives of the Scheme then it should be removed.</p>	<p>This suggestion appears to go beyond the coverage of the RCD and recognised international standards and we would be reluctant to retain the previous BSS standard other than to incorporate it within published guidance.</p> <p>The proposed checks may not necessarily support the objective for the Scheme to help prevent fires but they fully support the objective we have for the Scheme to assist boat owners identify and control the risks for which they have a responsibility.</p>
<p>Part 7 – LPG systems</p> <p>7b Will Kirby, BSS examiner, asked if the development for a resilient check for seal of a side opening gas locker was possible.</p> <p>7c Will Kirby, BSS examiner, considered the high-level ventilation requirement should be retained.</p> <p>7g Three examiners believed that LPG cylinders should continue to be required to be accessible & removable in an emergency</p> <p>7h Will Kirby, BSS examiner, considered that the requirement for cylinder lockers to be fire resistance for 30 minutes should remain.</p> <p>7i Three comments were received two advocated keeping the current requirements for drain hose to proven to be suitable for LPG. The third from the LP Gas Association accepted the need for change but recommended that natural rubber should not be used as drain hose.</p> <p>7j Two comments from examiners suggested the exemption level of a 12mm LPG drain diameter is too low.</p> <p>7k Two examiners suggested the requirement for cylinder locker openings to allow operation of valves etc. should be retained.</p>	<p>Navigation authority (NA) response</p> <p>A test is being developed in conjunction with recognised caravan industry practice.</p> <p>This suggestion appears to go beyond the coverage of the recognised international standard.</p> <p>In our view, known arrangements are always accessible and allow cylinders to be removed. Guidance will cover good installation practice.</p> <p>This suggestion appears to go beyond the coverage of the recognised international standard. Guidance will cover good installation practice.</p> <p>This suggestion to retain the current requirement appears to go beyond the coverage of recognised international standard. The recommendation from the LP Gas Association will be incorporated within guidance.</p> <p>The exemption level diameter has been found to be acceptable over many decades. Guidance will encourage LPG drain diameter of at least that contained within recognised standards.</p> <p>In our view, known arrangements are always allow for the operation of valves etc. Guidance will cover good installation practice.</p>

Question 6 –cont/

<p>7l Will Kirby, BSS examiner, believed the current requirement with exemption should remain.</p> <p>7n Three comments were received advocating retaining the requirement that the cylinder valve should not be used as the main shut-off valve where two or more cylinders are present. John Hutley thought a valve necessary after any regulator connected by a high-pressure pigtail (even just one). The reason is to improve reliability of the gas soundness check and the issue of hysteresis in the hoses.</p> <p>7o Four comments were received suggesting retention of the requirement to mark the location of other shut-off valves at each valve.</p> <p>7p Four comments were received suggesting retention of the requirement for inlet gas connections to be securely fixed.</p> <p>7r The LP Gas Association repeated general concerns about ‘all-hose’ systems. John Hutley encouraged clarity concerning terms such as ‘threaded ends’. Will Kirby wants all of the conditions associated with the allowance of ‘all hose’ systems in 10239 to be applied.</p> <p>7s Two comments were received suggesting retention of the requirement for all hoses to be ‘readily accessible’ rather than the suggested ‘accessible for inspection’.</p> <p>7t Two comments were received suggesting retention of standards enforcing good hose installation practice, that is, no tight radius turns and no installation where temperature is likely to reach 50 degrees. The LP Gas Association overheating of hose may not lead to obvious damage or deterioration before it suffers failure and therefore reliance upon a check of condition may not be adequate.</p>	<p>The exemption level diameter has been found to be acceptable over many decades. Guidance will encourage LPG cylinders to be located outside of accommodation spaces in line with the RCD. Guidance will cover good installation practice.</p> <p>We will further review proposed position to accept the cylinder valve as the main shut-off valve in the light of the consultation comments received and would be interested to receive the recommendations from the BSSTC/AC on this matter.</p> <p>This suggestion appears to go beyond the coverage of recognised international standard and we are content that each main shut off valve will be marked if not in a clearly visible position.</p> <p>In our view, the inlet gas connection should be regarded as any other joint and will be covered by other BSS requirements including joint securing.</p> <p>We will further review the clarity of terms such as ‘threaded ends’ and the conditions that should be imposed on ‘all hose systems’ in the light of the consultation comments received and would be interested to receive the recommendations from the BSSTC/AC on this matter.</p> <p>This suggestion appears to go beyond the coverage of the recognised international standard and we are content that ‘accessible for inspection’ will not increase risk. Guidance will cover good installation practice.</p> <p>We are confident that the proposed check of condition of hoses adequately discharges the navigation authorities’ duties in this respect</p>
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Question 6 –cont/

<p>7u Three comments were received suggesting retention of the requirement for pipework to be ‘accessible’.</p> <p>7v Three comments were received suggesting retention of the requirement for pipework to be located out of bilge areas and away from any corrosion risk.</p> <p>7w Will Kirby, BSS examiner, suggested retention of the requirement for pipework to be installed out of ventilation/air ducts etc.</p> <p>7x Will Kirby, BSS examiner, suggested retention of the separation of LPG pipes from cables in Part 7 LPG systems to duplicate coverage.</p> <p>7y Four BSS examiners suggested retention of the requirement for all pipework joints to be ‘readily accessible’ rather than the suggested ‘accessible for inspection’.</p> <p>7z Tim Crewe, BSS examiner, suggested retention of the requirement for all joints to be made where stress is minimised to prevent foreseeable risks of fire and explosion.</p> <p>7bb Three comments were received suggesting retention of the requirements to mark the direction of rotation of valves and the open and closed positions.</p>	<p>In reality all pipework is ‘accessible’ in the meaning of the international standards. Guidance will cover good installation practice.</p> <p>We are satisfied that an assessment of pipework for damage or deterioration is sufficient for our purposes. Guidance will cover good installation practice.</p> <p>This suggestion appears to go beyond the coverage of recognised international standard. Guidance will cover good installation practice.</p> <p>We believe this should be covered only once and Part 3 Electrical systems.</p> <p>This suggestion appears to go beyond the coverage of the recognised international standard and we are content that ‘accessible for inspection’ will not increase risk. Guidance will cover good installation practice.</p> <p>We are satisfied that an assessment of pipework for damage or deterioration is sufficient for our purposes. Guidance will cover good installation practice.</p> <p>This suggestion appears to go beyond the coverage of the recognised international standard. Guidance will cover good installation practice.</p>
<p>Part 8 – Appliances and flues</p> <p>8a The LP Gas Association believe the move away from enforcing room sealed appliances would be retrograde & not in the spirit if the Gas Appliances Directive & European harmonisation. The Association believes that in this situation replacement should lead to upgrading. [Will Kirby, BSS examiner, supported this point]</p>	<p>Navigation authority (NA) response</p> <p>We believe that the enforcement of the selection of room sealed LPG appliances does not support the navigation authorities stated objectives. Non-room sealed appliances are made available by manufacturers as suitable for boats having been CE marked to the Gas Appliances Directive and this cannot be reconciled with the comments of the LP Gas Association. The BSS will continue to promote very actively, the selection of room-sealed appliances only.</p>

Question 6 –cont/

<p>8a Tony Brooks, Reading College, was concerned the proposal may be contrary to CORGI codes of practice. He was also concerned that after buying a non-room sealed LPG appliance the owner may not be able to get it professionally fitted and that this may encourage DIY with the associated dangers.</p> <p>8b LP Gas Association recommended installations in accordance with the manufacturers instructions.</p> <p>8b Will Kirby, BSS examiner, believes the current standard should remain to remove the examiner from any liability if an incident should occur. He referred to the very obvious modification of the baked bean tin used as a flue on a water heater and suggested that a PSC is inappropriate in these circumstances.</p> <p>8c Three comments were received concerning the use of a PSC to determine obvious signs of flue spillage. The LP Gas Association believes that an assessment of the flue to be an approved type should remain. ABSE and Will Kirby commented that the use of PSC would not be effective.</p> <p>8d Will Kirby, BSS examiner, believes that examiners should be supplied with manufacturers' instructions for all appliances and the arrangements should be assessed accordingly.</p> <p>8e Three comments were received concerning the proposal to 'offer' the flue spillage test as part of a PSC. Two suggested retention of a mandatory test and the third suggested removing the test altogether.</p> <p>8f Will Kirby and John Bowen, BSS examiners, suggested retention of the requirement associated with appliances designed for use with a flue rather than converting it into a PSC.</p>	<p>We recognise LPG installation standards do have clauses requiring the fitting of room-sealed appliances, but until appliance manufacturers cease marketing and supplying non-room, sealed appliances for installation into boats there will always be a DIY issue. [see comments above]</p> <p>We also note the current shortage of competent marine LPG installers that may have an impact owners getting best advice when they purchase or replace appliances.</p> <p>Agreed, guidance will cover this point.</p> <p>We will further review the approach to appliances identified during an examination as having very obvious modifications in the light of the consultation comments received and would be interested to receive the recommendations from the BSSTC/AC on this matter.</p> <p>The LP Gas Associations comments appear linked to Will Kirby's at 8b and our response is the same. In response to ABSE and Will, the use of PSCs support the objective for the Scheme to assist boat owners identify and control the risks for which they have a responsibility.</p> <p>The BSS examination must remain largely a set of visual and manual checks of the condition of what is presented. It would be impractical for examiners to have to reference manufacturers' instructions for all equipment we take an interest in.</p> <p>We believe that PSCs fully support the objective we have for the Scheme to assist boat owners identify and control the risks for which they have a responsibility.</p> <p>We believe that PSCs fully support the objective we have for the Scheme to assist boat owners identify and control the risks for which they have a responsibility.</p>
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Question 6 –cont/

8g Two comments were received concerning the proposal to remove the requirement that all LPG appliances should have test points. Will Kirby advocated retaining the requirement and the LP Gas Association made a general point that, only by having such a fitting could the correct & safe operation of appliances be checked.

8h Two examiners expressed their support to retain a requirement for appliances to be installed in accordance with the manufacturers' instructions.

8i Two BSS examiners commented that the existing requirement should be retained at Part 8 checks and that reliance on Part 7 condition checks is inappropriate.

8j Will Kirby, BSS examiner, advocated the retention of the requirement that gimballed cooking appliance should be secure at all angles of heel.

8k Two BSS examiners commented on the proposal to adopt the exemption position. John Hutley suggests that the absence of scorching adjacent to an appliance does not indicate a lack of risk. Will Kirby advocates assessment against manufacturers' installation instructions.

8l Three comments were received concerning the proposal to adopt the exemption position re FSDs on hob burners. John Hutley backed up his concerns with reports of two gas explosions within 10-mile length of the K&A in the last three years. John Bowen, BSS examiner, was very strongly opposed to the proposal and as was Will Kirby.

8m Will Kirby, BSS examiner, suggested retaining the requirement for water heaters to be plumbed into the cold water supply.

8n Will Kirby, BSS examiner, suggested the requirement for shut off valves to fuel oil appliances to be in the same compartment, as the appliance should remain.

Navigation authority purposes are met by the provision of a test point somewhere in the system or a bubble tester. We are equally aware that not all LPG appliances have test points and therefore to retain a mandatory requirement would not be reasonable.

We are satisfied that an assessment of appliances and surrounding area for obvious signs of scorching, soot, leaks etc. is sufficient for our purposes. Guidance will cover good installation practice.

Part 7 pipework condition checks are the appropriate place for this because the appliance connections are part of the pipework.

Other BSS requirement checks covering securing of appliances will suffice.

We are satisfied that an assessment of appliances and surrounding area for obvious signs of scorching, discoloration etc. is sufficient for our purposes. Guidance will cover good installation practice.

The position on this proposal is being reviewed following evidence of a substantial number of incidents over recent years; this evidence has become known because of this consultation. We will seek recommendations from the BSSAC/TC on this matter for consideration.

The objective for the Scheme to assist boat owners identify and control the risks for which they have a responsibility is met by publishing guidance on this matter.

We are satisfied that a shut-off valve in a different compartment is sufficient for our purposes. Guidance will cover good installation practice.

Question 6 –cont/

<p>8o Will Kirby, BSS examiner, suggested the retention of the requirement for flue terminals and air inlets to be at least 500mm from specified locations.</p> <p>8p Two comments were received on this proposal, Chris Groves, customer, recommended that the dangers from hot exhaust outlets are not forgotten and Will Kirby suggested retention of a mandatory requirement.</p> <p>8q Five comments were received concerning the proposal to retain a PSC that fixed ventilation is in accordance with recognised standards. Two examiners expressed a wish that the current practice to calculate ventilation requirements and measure available free area is simplified. Two other felt that the requirement should be mandatory. Chris Groves, customer, said he would be concerned about any proposal to remove the requirement for fixed ventilation since he knew of cases of death due to CO poisoning.</p>	<p>The objective for the Scheme to assist boat owners identify and control the risks for which they have a responsibility is met by providing awareness. Guidance will cover good installation practice.</p> <p>Notwithstanding the lack any known risks, we will monitor and review incident data concerning the potential fire risk presented by exhaust outlets. Our response to Will Kirby is we believe that PSCs fully support the objective we have for the Scheme to assist boat owners identify and control the risks for which they have a responsibility.</p> <p>We believe that the PSC fully supports the objective we have for the Scheme to assist boat owners identify and control the risks for which they have a responsibility. It is the case that examiners will continue to calculate and measure in accordance with recognised standards and will follow appropriate procedures in the event any shortfall is identified. The BSS will continue to promote CO hazard awareness and this approach is seen as the most effective way to ensure personal safety and has the support and endorsement of many key organisations.</p>
<p>Part 9 Pollution prevention</p> <p>9a Will Kirby, BSS examiner, noticed that 'BSMA 10' should have read in the consultation document 'BSMA101'.</p> <p>9c Four comments were received. Two comments indicated a need for clarity in defining what is acceptable and why. Chris Groves, customer, suggested engine trays tend not to be effective due to flooding either by engine cooling water or bilge water and promoted oil absorbent pads as the answer. Tim Crewe felt that allowing a bilge pump with a bilge water filter does not "minimise avoidable pollution" as stated in general requirement 34. Will Kirby recommends that 'oil tight areas' be covered in Part 2 as well as Part 9.</p>	<p>Navigation authority (NA) response</p> <p>We are satisfied that this typo will not have caused any impact on responses.</p> <p>We are confident that the update BSS Guide text and examiner checking procedures will adequately define what is meant and why. We will seek information on oil absorbent materials in order to inform BSS advice on pollution avoidance. We are satisfied that bilge water filters capable of a 5ppm discharge level support the general requirement. We are satisfied that requirements should be covered in Part 9 with a forward reference in Part 2 of supporting guidance.</p>

Question 6 –cont/

Scope issues	Navigation authority (NA) response
<p>Three comments were received. Peter Wallace, BSS examiner, suggested that navigation lights should be included with the current allowance. Adrian Birtles, SBA, suggested that the words "or by a steam engine fired solely by solid fuel" should be added to the allowance in the scope. Will Kirby, BSS examiner, considered that if any privately owned vessel has to comply with the requirements of pt3 & 4 in respect of electrical installation & pt 5 in respect of internal combustion engines, then a certificate should be issued and that Part 6 fire extinguishers should also apply.</p>	<p>Through the AINA organisation, we will further review the approach to the scope. However, we do not agree that steam engines fuelled by solid fuel should be excluded.</p> <p>We are confident that the updated BSS Guide will adequately explain that owners of those small numbers of boats outside of the scope for certification will still be subject to the general requirements at all times the boat is on a waterway participating in the Scheme.</p>

Question 7- With regard to 5.5.2; is the introduction of a new means of compliance reasonable, proportionate and practical in respect to the seven points raised?

<p>Overview of comments received – Of those who expressed a general view, 17 agreed the proposed new means of compliance to be reasonable, proportionate and practical and two did not agree.</p>	
<p>Précis of general issues raised</p> <p>Andy Nurse was at a loss to understand how new requirements can be proposed when there is no factual data upon which to base them.</p> <p>John Baggs, AWCC proposes that if on first examination post implementation from April 05, a boat with a current BSS Certificate fails on one of the 7 new additional points of compliance, a means should be in place to enable a licence to be obtained whilst the craft is brought up to standard, for example a 6 month 'exemption certificate' could be issued ?'</p>	<p>Navigation authority (NA) response</p> <p>At present pure risk analysis based on known data is used to guide the process because of the shortfall of reliable information. [See also the issue and answer to Andy at question 2]</p> <p>We agree that a sympathetic implementation of the fire extinguisher 'expiry' or 'replace by' date requirement is in order, see comments at 5.5.2 (f) below, however we are satisfied that the remaining new means of compliance should be introduced with full effect from the date of implementation.</p>
<p>Part 2 Fuel systems</p> <p>5.5.2 (a) Tim Crewe, BSS examiner, questioned whether "filling point" refers just to a fuel filling point and if it does how do examiners determine that it is in fact an unused fuel filling point?</p> <p>5.5.2 (b) Neil Northmore, RYA, noticed a typographical error concerning the reference to the proposed general requirement 15.</p> <p>5.5.2 (d) John Polley, IIMS, suggests that plastic containers for storage of fuel within a craft represent a known fire hazard.</p> <p>5.5.2 (d) Neil Northmore, RYA, suggested that in view of the proposal to adopt a "goal setting" approach, specifying amounts of fuel or the types of container for carrying petrol is being unnecessarily specific.</p>	<p>Navigation authority (NA) response</p> <p>We can confirm the reference should have made clear reference to 'fuel filling point' and will ask the BSS Office to ensure examiner checking procedures adequately cover the second point Tim raises.</p> <p>Thank you for pointing this out. It should have been 16.</p> <p>This suggestion appears to go beyond the coverage of external regulations governing this area and we are content that adequate controls on the maximum capacity and stowage arrangements of plastic containers are sufficient for our purposes.</p> <p>Clear guidance to owners and the related laid down checking procedures for BSS examiners, together with adequate safeguard processes, will support the 'goal setting' general requirements.</p>

Question 7 –cont/

<p>Part 5 Outboard and portable combustion engines and portable fuel systems</p> <p>Len Barry, RBOA, expressed concern at the risks from petrol storage, which is becoming common and suggested education is required to explain the risk of using unsafe petrol containers and from poor stowage.</p>	<p>Navigation authority (NA) response</p> <p>The point is well made and as a result, we will ask the BSS Office to review the existing BSS petrol-hazard awareness leaflet.</p>
<p>Part 6 Fire extinguishing and escape</p> <p>5.5.2 (e) Two comments were received concerning to the proposal to mark the location of any portable fire extinguisher stowed out of sight. Both expressed the view that extinguishers must be readily to hand and their position obvious, at a glance, to anyone on the boat.</p> <p>5.5.2 (f) John Baggs, AWCC, repeated the view put forward during pre-consultation that any enforcement of manufacturers 'expiry' or 'replace by' dates of portable extinguishers should be put back to the first examination post April 2005.</p> <p>5.5.2 (f) Derek Liddington, BSS examiner, identified that the majority of extinguishers do not indicate an expiry date and asked if it is intended to develop other guidelines to cover these.</p> <p>5.5.4 (f) David Fuller, IMarEST, asked whether extinguishers covered by BSEN3 & BS5423 are required to be marked with 'expiry' or 'replace by' dates? Is there not a requirement implied within these two manufacturing standards for the extinguishers to be serviced annually? If such an implied requirement does exist under both, or either of these standards then should not all such extinguishers be checked as proposed?</p>	<p>Navigation authority (NA) response</p> <p>We accept that an extinguisher in clear view is the ideal. However, the comments go beyond the coverage of recognised international standard. Guidance will cover good stowage practice.</p> <p>We agree that a sympathetic implementation of the fire extinguisher 'expiry' or 'replace by' date requirement is in order.</p> <p>The existing guidance published in the BSS Guide and examiner's checking procedures relevant to the condition of extinguishers will be retained.</p> <p>As far as we are aware, there is no requirement for extinguishers to be marked with an 'expiry' or 'replace by' date and as Derek identified above, very few are so marked. There is a very strong emphasis on regular servicing of portable fire extinguishers from all of the recognised competent bodies and our position is to repeat that advice in guidance. However, at this point in some there is no navigation authority case to make for mandatory servicing of extinguishers.</p>

Question 7 –cont/

Part 9 Pollution prevention	Navigation authority (NA) response
<p>5.5.4 (g) Brian Hayes, ABSE, anticipated customer resentment, as many existing systems have no such valve. Mrs Howes, Vintage Wooden Boat Association, agreed with the proposal, but saw problems for craft that have straight through sea toilets.</p> <p>5.5.4 (g) David Fuller, IMarEST, 5.5.4 suggested greater clarification is required and raised the question; does proposed requirement include holding tanks that can only be emptied by shore facilities as these systems discharge directly overboard through the vent?</p>	<p>Customer resentment and difficulties in application are not anticipated. We believe there would be more resentment if we failed to apply such a requirement. The proposal allows for a valve in the line and according to marine trade experts, this can be done without undue expense.</p> <p>We accept David Fuller’s observation. Published guidance and examiner checking procedures will clarify the requirement relates to the primary discharge pipe rather than any vent facility.</p>

Question 8- With regard to 5.6, do you believe the proposals at 5.6.2 concerning the current age-related exemptions to be reasonable?

Overview of comments received – Of those who expressed a general view, 20 agreed the proposals concerning the age-related exemptions to be reasonable and six did not.

Précis of general issues raised

Ted Osborn, The Cruising Association, considered that a) It is not the function of BSS to drive standards forward in isolation but simply to insist on reasonable measures to protect from harm based on existing risk-analysis. b) Opportunities to commend additional good practice & higher standards should only be taken on an advisory basis. c) The principle of incorporating future exemptions should be retained since it is possible to envisage circumstances that require this. d) Revised or future standards should not be applied retrospectively to existing certified vessels unless shown to be of special merit.

Chris Deuchar, Waterways Science Group, agreed with the proposals but said that the possibility for new, unforeseen, exemptions must be 'written in' to the Scheme.

Four comments were received expressing concerns that older boats should be protected by age related exemptions.

Two comments promoted the MOT test applying different standards for vehicles of different ages the boat. Adrian Birtles, SBA, has a particular interest in historic steam & an objective to foster & promote their conservation, preservation, restoration & use.

Brian Hayes, ABSE, explained that difficulties arise with age related requirements with no owner there at examination to state an age and no way for examiners to verify it. He said that ABSE support 'class exemptions', so long as they are kept to a minimum.

Navigation authority (NA) response

We fully endorse each of these comments as representing our view precisely.

Agreed, we do envisage circumstances that would warrant the use of age related exemptions.

We believe that by adopting 'goal based' requirements and accepting largely the previous exemption level as meeting those goals that there is sufficient protection for older boats.

We believe that by adopting 'goal based' requirements and accepting largely the previous exemption level as meeting those mutual goals that there is sufficient protection for the conservation of older boats and would be happy to work with the SBA to ensure this aim.

Comments accepted.

Question 7 –cont/

<p>Richard Winter, BMF Insurance, Financial & Legal Services Association sought an assurance that when an item is replaced/repaired as a result of a claim then it can be of the same type as it is replacing.</p> <p>Tim Crewe, BSS examiner, proposed that existing exemption levels should be tested against existing ISO standards & the ISO requirements should take precedence and he expressed an opinion that the BSS may be legally exposed in the event of incidents occurring if the requirements are lower.</p> <p>John Baggs, AWCC, strongly objected to the proposal on the grounds outlined at Annex A2.</p> <p>Will Kirby and Bill Rosie, BSS examiners, tended to agree with the AWCC that keeping the date related exemptions would help to promote better standards.</p> <p>Andy Nurse asked how anyone could arrive at an informed opinion on this question, as no supporting data is forthcoming, all anyone can do is voice their own unsubstantiated viewpoint. He questioned how that can be a sound basis for setting safety standards or making changes.</p>	<p>We can only give guidance to owners in this respect. We can then verify compliance with BSS requirements at the time of a BSS examination.</p> <p>We do not anticipate exposure. Provided the exemption level is known to address adequately the risk the BSS position will be to promote installations to current best practice contained within the ISOs at every opportunity and to liaise with the marine industry to help ensure this.</p> <p>We understand the AWCC position, however; we support the position as set out by Ted Osborn, Cruising Association, at the beginning of this section.</p> <p>At present, pure risk-analysis based on known data is used to guide the process because of the shortfall of reliable information. [See also the issue and answer to Andy at question 2]</p>
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Question 9- We welcome your views on the proposals to remove the obligation for a flue-spillage test, but to continue to offer it as an option.

Overview of comments received – of those who expressed a view, 12 supported making flue spillage test an option but 18 thought the test should remain mandatory.

Précis of general issues raised

Several examiners felt uncomfortable with offering an option because it would be very difficult to confirm whether or not the owner fully understands the options being offered, or that the offer had actually been made. Brian Hayes, ABSE, advised against offering 'optional checks' for the reasons given against exemptions & PSCs. He believed it to be another unnecessary encumbrance to examiners.

Three examiners commented that given a choice, it is very likely that boat owners will decline the offer on the grounds of cost. Two boat owners indicated that if they doubted the ability of their boats to pass a test, they would simply refuse to have it tested. John Baggs, AWCC, and David Fuller, IMarEST, asked how would uninformed boat owners understand whether to have the test or not.

Mike Chambers, examiner, identified that the RYA & the RNLI have been trying to promote safety checks for years with only a limited degree of success.

John Baggs, AWCC, suggested the test should be removed entirely, and Adrian Birtles, SBA, strongly believed that nothing should be included in the BSS inspection process itself, which is not required for the issue of a BSSC. The wider objectives should be achieved by other means.

David Fuller, IMarEST, said flue spillage should be tested on all craft.

Andy Nurse repeated his view that the lack of real-world data made any proposals targeting “personal safety” totally gratuitous.

Navigation authority (NA) response

We accept that the communications issue is important, but believe it is not insurmountable.

We do not necessarily accept these comments and we are confident that responsible boat owners will choose to accept the offer of the flue spillage test and published guidance will promote the option. We will continue to liaise with competent bodies to develop an effective partnership approach to assist boat owners identify and control the risks for which they have a responsibility

The difficulty of promoting the uptake of safety checks is accepted in principle.

We believe that PSCs in conjunction with a partnership approach to be an effective measure to assist boat owners identify and control the risks for which they have a responsibility

As above

At present pure risk analysis based on known data is used to guide the process because of the shortfall of reliable information.

Question 10-Re 5.8.1 we would welcome your views on the proposed enhancements aimed at further protecting the environment.

Overview of comments received – of those who expressed a view either way 19 supported the proposed enhancements and one did not.	
<p>Précis of general issues raised</p> <p>Two BSS examiners commented in terms of the practicality on the occasions when owners are not present at the examination. ABSE wished to see the subject covered by specific checks.</p> <p>Three comments were received regarding the effectiveness of the information. They urge that it should be promoted in simple to understand terms and should not duplicate the efforts of other perhaps dedicated environmental and should not rely upon world wide web. Tim Crewe, examiner, considered the measures will not be effective for the vast majority of boat owners, he gave the example of whether we read the environmental pages on our washing machine instructions</p> <p>Len Barry, RBOA, expressed particular interest in issues related to the protection of the environment & supported these further proposals. He expressed interest in working closely with the BSS Office to develop & promote these issues.</p> <p>Two comments stressed the need for the initiative to one of awareness and education rather than enforced by new requirements.</p> <p>Two comments considered noise pollution should be included.</p> <p>Will Kirby, BSS examiner, agreed the BSS can take on environmental issues but asked who was to pay, should it not be the navigation authorities outside of the existing BSS resources.</p> <p>Andy Nurse asked where was the data showing what and how much pollution privately owned boats contribute to the environment? He considered BSS involvement as a new way of justifying its existence.</p>	<p>Navigation authority (NA) response</p> <p>It is envisaged that the role of examiner would be to leave educational material subject to a predetermined trigger, e.g. an engine tray full of oil.</p> <p>We agree the measures should be effective. We envisage working in partnership to ensure the messages are widely accepted and promoted.</p> <p>We thank RBOA for the offer and look forward to the partnership.</p> <p>We agree.</p> <p>Noise pollution is not one of the stated objectives for the Scheme.</p> <p>This point has had early recognition and although this would be a very small element of the Scheme's activities, it is under consideration by the navigation authorities.</p> <p>It is accepted that inland waterway boaters have a good level of environmental awareness. Additional benefits are anticipated in increasing access to best practice information.</p>

Question 11-Re 5.9.5 Smoke alarms – if appropriate standards were developed

Overview of comments received – Of those who expressed a view the split was fairly even on the question what to do if smoke detector alarms manufactured and tested to an appropriate standard became available, 10 thought they should become a mandatory requirement, 12 thought they should be a PSC and eight thought they should be restricted to advice in guidance.

Précis of general issues raised

Three comments were received expressly agreeing that available equipment was not suited to boats.

Two comments saw appropriate equipment as particularly relevant to residential boats. One comment supported the use of domestic alarms on boats and another comment suggested the navigation authorities should be led by domestic requirements.

Wendy Jones, Driffeld Navigation, suggested the requirement should depend on craft length with boats up to 8 metres in length subject of a personal safety check. But on larger boats, or boats with more than one cabin they should be a BSS requirement.

Mick Thorpe, BSS examiner, was aware that following a fire death the Oxford Fire Brigade gave out smoke alarms to all those who lived on there boats and that they consider alarms an important feature on boats. Andy Nurse suggested providing them free, including the cost of fitting, or incorporate in published advice only.

Two comments were received suggesting the inclusion of LPG gas detectors/alarms.

Navigation authority (NA) response

Our current position is stated within published BSS awareness leaflets.

We agree that the exposure to hazards to those who live aboard is heightened. We recognise that the level of social acceptance of the mandatory fitting of alarms is a factor in reaching the correctly balanced decision.

The segregation of boats by their length and number of cabins would appear to follow the general principles contained in fire protection ISOs. It is a useful comment.

We will continue to involve the National Community Fire Safety Centre in any BSS policy position amendments.

We confirm the intention to include gas/flammable detector alarms review of matters concerning the marine use of detector alarms.

Question 12-Re 5.9.11 CO alarms – if appropriate standards were developed

<p>Overview of comments received – Of those who expressed a view the split was as follows if CO detector alarms manufactured and tested to an appropriate standard became available, seven thought they should become a mandatory requirement, 11 thought they should be a PSC and four thought they should be restricted to advice in guidance.</p>	
<p>Précis of general issues raised</p> <p>Three comments were received expressly agreeing that available equipment was not particularly suited to boats or were not convinced about their effectiveness. Len Barry, RBOA, agreed that a reliance on fallible systems may lead to complacency and his organisation encourages boaters to carry out good maintenance & regular checks.</p> <p>Adrian Keats, SF Detection, said that to date there has not been one case of a CO poisoning injury or fatality where a CO alarm was fitted. Units are available that have batteries sealed inside the unit & so cannot be removed. The latest & best CO alarms use electro-chemical cell sensing technology, which is very selective to carbon monoxide & significantly reduces any risk of false alarms. While the latest CO standards (EN50291, BS7860 & UL2034) don't specifically cover the use of CO alarms on boats, there is no reason why boat users can't use detectors approved to these standards to protect themselves.</p> <p>Janet Faulkner, Warwickshire Trading Standards, said that a certificated audible CO detector should be a BSS requirement, as should a smoke detector. This requirement should not be delayed by a condition to depend on a national or international standard being developed.</p>	<p>Navigation authority (NA) response</p> <p>Our current position is stated within published BSS awareness leaflets.</p> <p>We will be lead by competent bodies in any change of published position and will commit to a rolling review of matters concerning the marine use of detector alarms.</p> <p>We will be lead by competent bodies in any change of published position.</p>

Question 13-Re 6.2 Do you have any views on the costs, benefits and risks identified in the partial RIA as detailed in Annex D1?

Overview of comments received – only 11 substantiate comments were on the partial RIA and no thread was determined.

Précis of general issues raised

Andy Clarke, BSS examiner, believes the estimate of 200 boats fitted with holding tanks capable of discharging overboard is very low.

Derek Liddington and Paul Smith, BSS examiners, anticipated marginal cost increases because examiners will have to fully check 'accessible' items, which used to be 'readily accessible'.

Paul Smith, BSS examiner and surveyor, considered the assumption regarding fire extinguishers to be totally incorrect. He believes that all vessels will have extinguishers that are out of expiry date within five years. Thus, three extinguishers for 60k boats gives a cost of £2.7m to £8.1m.

Will Kirby, BSS examiner, said regarding to costs, benefits & risks, what cost do you put on a person's life, when you had a very good standard to check to prior to the implementation of the revised 2002 standards.

Andy Nurse considered the partial RIA flawed almost pure guesswork – because it is based on proposals that are the result of an inherently flawed, inaccurate and unsubstantiated risk assessment.

Neil Northmore, RYA, emphasised that the final RIA should take account of the application of RCD.

Nik Parker, BMF recognised the issue for boat builders that had previously used the BSS Standards as a means to support their declaration of conformity to the Essential Safety Requirements of the RCD. He expressed an intention to move the matter forward within the industry

Navigation authority (NA) response

Advice from the marine trade satisfies us that the majority of boats with through hull sewage discharge fittings already have a valve in the line.

In effect, there is no policy change. The 'required items' will need to be 'readily accessible' at the time of the BSS examination and at reasonable notice for NA compliance checks, if not, the boat will fail.

We are satisfied that manufacturers express 'expiry' or 'replace by' dates are not commonplace on portable extinguishers and therefore the impact will be minimal.

We believe the proposed measures will be even more effective than previous applications of the Scheme.

At present pure risk analysis based on known data is used to guide the process because of the shortfall of reliable information.

We agree that the RIA should be amended in line with these comments.

We understand the position. We much appreciate the BMF's initiative and will support it if we can.

Question 14-Re 6.1.7 We welcome your views on the effectiveness of this consultation process and consultation document.

Overview of comments received – of those who expressed a view 14 thought the process and documents to adequately clear and effective although five were critical of the document.

Précis of general issues raised

Brian Smith, BSS examiner, and Andy Nurse referred to the risk review described in Annex D2 and commented that there was insufficient information on the evaluation of the risk.

Four comments suggested that in order to comment more fully it would have been very helpful to have been given some examples, or all of the detailed checking procedures.

Andy Clarke, BSS examiner, the document did not make it clear if proposals will apply to residential boats.

Three comments were received stressing that this consultation process will only be effective if the views of the consultants are genuinely considered and any merits fed into amendments made to the scheme.

Five comments criticised the document variously for being too long, too repetitive and too many cross-referencing documents. There was also comment on grammatical and typographical errors

Two comments suggested that the consultation would have benefited from wider publicity and a longer consultation period.

John Baggs AWCC suggested the process would have benefited from a random sample of ordinary boaters providing detailed input.

Navigation authority (NA) response

At present pure risk analysis based on known data is used to guide the process because of the shortfall of reliable information.

In order to develop the detail the changes to the legally enforceable requirements and the impacts of those changes, both of which need to be tested at consultation. The scope of the consultation was outlined at 2.1, which did not include those methods of compliance that are not proposed to change.

Yes, they would if they fall within the privately owned or managed category. Application of requirement to the various classes of vessels such as residential boats, floating offices etc. will likely be reviewed following the completion of the modernisation process.

We are committed to take account of the comments received.

The document format follows Cabinet Office guidance on consultation. We accept that enhanced proof reading and other checking will reduce errors.

We are committed to follow Cabinet Office guidelines on public consultations and believe these were fully met.

We consider this a useful comment and we would commit to involving such a group in 'testing' the overall package of requirements, checking procedures and BSS Guide text at an appropriate time before launch.