

# ASSOCIATION OF INLAND NAVIGATION AUTHORITIES



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Inland  
Navigation  
Authorities

## Safety Issues Group – Position Table (March 2006)

No.	Issue	Background	Current Position	Action Required
1	<b>National Water Safety Forum (NWSF)</b>	<p>The SIG now forms the Inland Waters advisory group of the NWSF.</p> <p>Agreement was reached that official SIG minutes would be superseded by the Position Table which would be updated after each SIG meeting. The Table would be circulated to the SIG membership for approval before being placed on AINA's website available for public access.</p> <p>Any requests for information received via the NWSF (via RoSPA) would be circulated by PB to the SIG group before responding.</p> <p>A letter from the SIG Chair was sent to other relevant organisations explaining how the issues raised by NWSF would be dealt with and how they would be publicised. It expanded on SIG's role and suggested ways that other organisations can contribute to it.</p> <p>PW has been appointed Chair of the new NWSF 'Information Group'.</p>	<p>The SIG met on 7 March 2006. The notes within this position table summarise what was discussed at that meeting.</p>	<p>More AINA members are needed on the SIG, particularly from the EA Recreation &amp; Navigation Team and from the small, charitable sector navigation authorities. PB to secure appropriate representation for the next SIG meeting.</p>
2	<b>Small Passenger Boat Code</b>	<p>Following collaboration with MCA, the Small Passenger Boat Code, 'Sound practice, safer waters' was published jointly by MCA and AINA in February 2004 and was issued to AINA members.</p>	<p>AINA is arguing the case for the Code to remain voluntary and that compliance with the BSS plus a degree of self-certification administered by navigation authorities would be appropriate.</p>	<p>MCA to be contacted to clarify the position with regard to Class D waters. (Action MB)</p> <p>AINA SIG to prepare (by summer 2006) model</p>

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		<p>Until this Code, there had been no national standard for small commercial vessels (carrying up to 12 passengers) using the UK's inland and estuarial waters. The Code allows for each operator's experience and own interpretation of risk and gives safety advice to operators, licensing authorities and regulators.</p>	<p>The SPBC covers Class D waters, however, the Port of London Authority felt that this might cause conflict as their Class D waters are covered by existing mandatory regulations.</p> <p>The CBOA are to undertake a review of the Code.</p> <p>The recommendations of the MAIB report into the Swan incident at Bath have raised the issue of enforcement of the Code up the agenda.</p>	<p>guidance on the issue of licences for all vessels for hire that carry passengers; compliance with the Code as a condition of licensing; and self-certification of compliance with the Code by operators.</p> <p>Thereafter, the SIG to agree a method for independent selective verification of compliance by spring 2007.</p>
3	<b>Craft classification and licensing</b>	<p>This initiative has been triggered by the need for navigation authorities to deliver a licensing process to accommodate the requirements of the Small Passenger Boat Code, and the forthcoming Hire Boats Code. It also has wider value to AINA in terms of helping us to understand the basis upon which all types of craft are classified, registered or licensed on the inland waterways.</p>	<p>SIG commissioned a consultant to undertake a desk-top study to prepare a detailed report that provides a classification system for the different types of hire craft (powered and un-powered) on the waterways, the uses to which they are put and an assessment (based on reported accident data) of the risks they are subject to. The adequacy of existing risk control measures, and the legal powers (of navigation authorities, local authorities and national government) enabling these controls to be exercised in a consistent way nationally should be assessed with gaps highlighted.</p> <p>This report has very recently been completed.</p>	<p>SIG to recommend to the AINA Executive Committee on 5 April that this report is used by AINA to:</p> <ul style="list-style-type: none"> <li>communicate inconsistencies and the need to address them with MAIB, MCA, DfT and Defra;</li> <li>achieve consistency with local authorities who exercise powers under the 1907 Public Health Act;</li> <li>investigate how consistent legal powers can be obtained (to include delegated powers under the 1907 Act and potential facilities under the Transport Act 1968); and</li> <li>extend the work to private craft on the waterways.</li> </ul>
4	<b>Safety of Hire Craft</b>	<p>The MAIB report into the capsizing of Beakaway V on the Norfolk Broads recommended that MCA form a working group to develop a code of</p>	<p>The original timescale for reporting back on this topic, as set by MAIB, has not been met. However, recent events have</p>	<p>AINA and BMF to collaborate in drafting the Code.</p>

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		<p>safe practice for hire craft on inland waterways. MCA convened a meeting in May 2004 where it was agreed that the code should be based on existing best practice.</p> <p>Three sub-groups were formed to look at stability, technical standards, and risks. AINA members were represented on each sub-group.</p>	<p>accelerated progress. These include a merging of the three initial sub-groups considering vessel stability, technical issues, and risk management, and broad consensus being reached between BMF and its members on the scope and purpose of the code. The industry has a real opportunity here to get this right and achieve sensible, pragmatic self-regulation for the benefit of all parties, not least the boat hirers and BMF and AINA are working together closely to prepare the code. Although not formally agreed, spring 2007 is being targeted for the introduction of the code.</p> <p>AINA's view is that Navigation Authorities should apply the new code through their licencing systems and is investigating the current licensing conditions applied by all members for all types of hire craft (see above).</p>	
5	<p><b>Identifying navigation or licensing authorities for all navigable waters</b></p>	<p>The MAIB Swan report recommended that the NWSF-GIG should determine the navigation or licensing authority for all fully navigable bodies of water. The MAIB report into the RIB accident on Loch Lomond reinforced the Swan recommendations.</p> <p>The May meeting of the GIG referred this matter to the NWSF Inland Waters Advisory Group to develop proposals.</p>	<p>The SIG proposed to the GIG in February, a project for determining the unregulated waters based on a pilot study which aims to identify inland waters (categories A to D) navigated by hire and small passenger boats which do not have a navigation or licensing authority.</p> <p>It is estimated that the cost for such a project will be some £10,000 and it is proposed that the work be carried out over a 10-12 week period during the spring of 2006 to enable the pilot to be concluded and its output applied to the full national survey during the summer when water-based activities are at their peak.</p>	<p>The SIG proposal, along with an offer to project manage the work, to be put to the NWSF meeting on 17 March 2006.</p>

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6	<b>MAIB Accident Reporting Regulations</b>	<p>The Merchant Shipping (accident Reporting and Investigation) Regulations 2005 came into effect on 18 March 2005. These regulations extend the list of persons with a duty to report accidents and serious injuries to include, amongst others, navigation authorities.</p> <p>AINA responded to the consultation on the draft regulations in September 2004. However, when the regulations came into effect, AINA recognised significant potential for multiple reporting and ambiguity as to precisely when reporting is required.</p>	<p>SIG has identified such ambiguities in the regulations and has agreed with MAIB a draft list of points clarifying interpretations and definitions.</p>	<p>AINA to endorse the draft list and seek formal agreement with MAIB. AINA to then issue guidance to its members on interpretation of the regulations.</p>
7	<b>Incident Reporting and Investigation System (IRIS)</b>	<p>As part of its “Managing Inland Waterways Safety Risks” initiative, AINA regards the capture and analysis of good quality, reliable data on accidents, incidents and near misses as an essential tool in the development and promotion of good practice to mitigate such risks and in briefing legislators and regulators of the true extent of such risks and appropriate control measures.</p>	<p>The AINA Office has now established the Incident Reporting and Investigation System (IRIS) as a national electronic data base. Facility is being made to transfer all BW, EA and Broads data, retrospectively to 1 January 2005, by 31 March. All other AINA members have been issued the software to enable them to do likewise.</p> <p>When populated with sufficient data IRIS will be an invaluable tool for AINA to better understand the safety risks to waterways users, professionals and volunteers across all groups (not just boating!) and the efficacy of existing risk control measures. Further best practice guidance would follow, in addition to evidence-based substantive briefings to legislators and regulators to safeguard against the development of inappropriate or disproportionate regulation in the future.</p> <p>Opportunities are being considered whereby BSS and TYHA may contribute data by using suitably adapted versions of IRIS.</p>	<p>BW, EA and Broads to provide data to IRIS by 31 March 2006.</p> <p>AINA Office to follow-up through receipt of data from AINA members to build up the national IRIS database.</p> <p>PB/PW to investigate scope for further development of IRIS to accommodate BSS and TYHA needs.</p>

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8	<b>Navigation Signage</b>	<p>SIG was approached by BSI in 2004 who were considering extending their range of signage to include a standard for navigation signs for UK inland waters. After discussions with BSI and NWSF, SIG agreed to carry out the research and develop the standard.</p> <p>A SIG working group subsequently delivered a draft document, "Navigations Signs and Symbols: An Industry Standard for UK Inland Waterways" for widespread consultation in January 2005.</p> <p>At this time, BW and EA agreed to adopt the new convention when finalised.</p>	<p>"Navigations Signs and Symbols: An Industry Standard for UK Inland Waterways" was published in November 2005 and given widespread circulation to all interested parties.</p>	<p>AINA SIG to keep a 'watching brief' on the use and application of the standard.</p>
9	<b>Alcohol limits for non-professional mariners</b>	<p>DfT issued a consultation document in April 2004 on criteria for exceptions to the alcohol limits for non-professional mariners and the designation of marine officials.</p>	<p>AINA issued a response to the consultation on 3<sup>rd</sup> August 2004 and are awaiting the response from DfT.</p>	<p>Await outcome of consultation from DfT. AINA Office to pursue DfT.</p>
10	<b>Boatmasters' Licenses</b>	<p>MCA Regulations requiring the issue of licenses for boatmasters operating commercial craft and workboats are expected to come into effect in 2007. A formal consultation on proposals is due to be issued in April 2006.</p>	<p>AINA is currently in dialogue with MCA on how best to test competence in relation to the forthcoming introduction of BMLs. Options include achieving BMLs through using navigation authorities' existing competency and training schemes and pursuing funding opportunities for doing so via the Maritime Skills Alliance.</p>	<p>SIG to take a view on the best way forward. In particular, whether to implement BMLs through an industry standard or an alternative national framework.</p>
11	<b>Land-side drop protection at locks</b>	<p>First raised at SIG meeting on 16 September 2004 as a need for navigation authorities to consider. Has also been raised as an issue by the Visitor Safety in the Countryside Group.</p>	<p>BW/EA already sharing views and identifying lock sites and other waterside locations with a view to establishing key commonalities and differences.</p> <p>The EA is currently undertaking a review which will form the basis of their position and will share the information with BW.</p>	<p>BW/EA to formulate joint approach for further discussion with SIG.</p> <p>VSCG to also consider such issues.</p>

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12	<b>Safe boarding</b>	MCA have been carrying out a Formal Safety Assessment project which is looking at the application of risk assessment methods to passenger vessels. It is one of the actions arising from the Marchioness Inquiries. There have been a number of workshops and MCA's consultants have been working on a cost-benefit analysis methodology.	One of the issues that has arisen has been the safety of vessel boarding points with confusion amongst trip boat operators and others as to who is responsible. Although the Dock Regulations apply (in BW's view), the HSE has stated that as part of their new strategy it will not update these regulations. Therefore, by implication creating the opportunity for industry standards to ultimately fill the void which will be created by the current regulations 'fading away'.	The views of AINA members have been sought and responses received indicate that this issue is not a priority concern for them.  SIG to keep a watching brief on this issue.
13	<b>Remote handling of boats</b>	The waterways press has reported the development of a system for single-handed boaters to work craft through locks by remote control from the lock side. This is thought to present a safety risk and BW has opposed the use of such systems.	In taking the advice of the SIG, AINA has formally supported BW's position and has recommended its members to ban all such systems on all licensed or registered craft.	SIG to keep a watching brief on this issue.

## ACRONYMS

BMF	British Marine Federation	MAIB	Marine Accident Investigation Branch (of DfT)
BML	Boatmasters' Licence	MB	Mike Barrett
BSI	British Standards Institute	MCA	Maritime and Coastguard Agency
BSS	Boat Safety Scheme	NWSF	National Water Safety Forum
CBOA	Commercial Boat Operators' Association	PB	Philip Burgess
Defra	Department for the Environment, Food and Rural Affairs	PW	Peter Wade
DfT	Department for Transport	RIB	Rigid Inflatable Boat
GIG	NWSF Government Inter-Departmental Group	RoSPA	Royal Society for the Prevention of Accidents
HSE	Health and Safety Executive	SIG	AINA Safety Issues Group
IRIS	Incident Reporting and Investigation System	SPBC	Small passenger Boat Code
		TYHA	The Yacht Harbour Association
		VSCG	Visitors' Safety in the Countryside Group