

# **SOUTH WEST REGIONAL PORTS ASSOCIATION**

## **LICENCES FOR BOATS & BOATMEN GUIDELINES**

**SWRPA Jun 2016**

# **LICENCES FOR BOATS AND BOATMEN - GUIDELINES**

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## SECTION 1

### INTRODUCTION

These guidelines have been prepared by the South West Regional Ports Association (SWRPA) for use by Licensing Authorities under Section 94 of the Public Health Acts Amendment Act 1907 (as amended) or Harbour Bylaws should it so wished. They supersede all previous issues.

This document deliberately mirrors the guidance prepared by the Solent and Southern Harbour Masters' Association (SASHMA) for their members, with an aspiration that such guidance may become unified at some point in the future.

Section 94 of the Public Health Acts Amendment Act 1907 (as amended) authorises Local Authorities to grant licences for pleasure boats and pleasure vessels to be let for hire or to be used for carrying passengers for hire and also for persons in charge of navigating such vessels. The text of Section 94 of the Act is given in Section IV below. In addition, certain authorities have bylaws regulating pleasure boats and vessels and those in charge of or navigating such boats or vessels.

These guidelines use the **MCA Inland Waters Small Passenger Boat Code (IWSPBC)** as the criteria for the issue of a licence under the Public Health Acts. This Code can be obtained from the Maritime and Coastguard Agency (MCA) web site [www.mcga.gov.uk](http://www.mcga.gov.uk)

Applications for the granting or renewal of a Local Authority Boat Licence under the above act will be required to:

- 1 Hold an appropriate commercially endorsed licence as listed in the IWSPBC or a Boatman's/Waterman's Licence issued by the Local Authority
- 2 Operate the vessel from the Jurisdiction of the Local Authority. A licensing Authority may undertake to license vessels under these guidelines for another Authority by mutual agreement between appropriate person(s).
- 3 Produce written verification that the vessel is constructed to the EU Recreational Craft Directive, or the Code for the design, Construction and Operation of Hire boats, a copy of which may be obtained from the MCA website, and/or comply with the requirements of Section 4 and Annexes 8 and 9 of the IWSPBC
- 4 Upon first survey and at periods not exceeding 5 years, written confirmation of satisfactory survey of the underwater hull.
- 5 Comply with the requirements of Annexes 4 and 5 of the IWSPBC with regard to Safety Management and Risk Assessment.

A licensee will be required to maintain public liability insurance for a minimum of £3 million for any one accident and employer's liability insurance where applicable.

A Local Authority boat licence:

- 1 Is granted to the owner of the boat
- 2 Will not normally be transferable
- 3 May have additional conditions cited on the licence in regard to weather or any other condition at the discretion of the Local Authority issuing the licence.
- 4 Is valid for a period of 12 months only

## SCOPE

The guidelines concern the safety of craft and their passengers and are limited to vessels up to 24m Load Line length carrying no more than 12 passengers operating in Category A, B, C and D waters, and other inland waters. These guidelines do **not** apply to: passenger ships; vessels which proceed to sea, or police vessels. Each of these is instead subject to one of the following:

- Safety code for passenger ships operating solely in UK Categorised waters (MSN 1823(M))
- Code of practice for the safety of small workboats and pilot boats
- Code of practice for the safety of small vessels in commercial user for sport or pleasure operating from a nominated departure point (NDP)
- Code of practice for the safety of small commercial motor vessels
- Code of practice for the safety of small commercial sailing vessels
- The Police Boat Codes, Amendment 3 (PCB 3)

This Code also does **not** apply to ships which satisfy the formula defined in the HSC Code and are capable of operating at speeds of 20 knots or more. Such ships shall comply with the HSC Code. Neither does it apply to fishing vessels.

## REVIEW

These guidelines should be reviewed at least annually to ensure that updates to legislation, non-statutory codes and best practice are swiftly incorporated herein.

## SECTION 2

### Members of the South West Regional Ports Association

Axmouth  
A& P Falmouth  
Appledore Fish Quay  
Bideford  
Bridgewater  
Bridport  
Bristol Port Company  
Brixham (part of Torbay Harbours)  
Bude  
Charlestown, St Austell  
Dart Harbour and Navigation Authority  
Exeter River and Canal  
Falmouth  
Fowey  
Gloucester  
Hayle  
Ilfracombe  
Imerys (Fowey docks)  
Looe  
Lyme Regis  
Mevagissey  
Mousehole  
Newlyn  
Newquay  
Padstow  
Paignton (part of Torbay harbours)  
Penryn  
Penzance  
Plymouth – ABP Millbay Docks  
Plymouth – Cattewater Harbour  
Plymouth – City Council Harbour  
Plymouth – Sutton Harbour  
Polperro  
Poole  
Portland  
River Yealm  
Salcombe  
St Ives  
St Mary's, Isles of Scilly  
St Mawes  
Teignmouth  
Torquay (part of Torbay Harbours)  
Truro  
Weymouth

## SECTION 3

### List of Authorities licensing under the Public Health Acts

Cornwall Unitary Council

Councils in Devon

East Devon  
Exeter  
North Devon  
Plymouth  
South Hams  
Teignbridge  
Torbay  
Torridge

Councils in Dorset

Poole Borough Council

Council of the Isles of Scilly

Harbour Commissioners

Dartmouth (on behalf of South Hams)  
Falmouth  
Fowey  
Padstow

## SECTION 4

### SECTION 94 OF THE PUBLIC HEALTH ACTS AMENDMENT ACT 1907

#### **94.— Power to license pleasure-boats.**

(1) *The local authority may grant upon such terms and conditions as they may think fit licences for pleasure boats and pleasure vessels to be let for hire or to be used for carrying passengers for hire, and to the persons in charge of or navigating such boats and vessels, and may charge for each type of licence such annual fee as appears to them to be appropriate.*

(2) *Any such licence may be granted for such period as the local authority may think fit, and may be suspended or revoked by the local authority whenever they shall deem such suspension or revocation to be necessary or desirable in the interests of the public:*

*Provided that the existence of the power to suspend or revoke the licence shall be plainly set forth in the licence itself.*

(3) *No person shall let for hire any pleasure boat or pleasure vessel not so licensed or at any time during the suspension of the licence for the boat or vessel, nor shall any person carry or permit to be carried passengers for hire in any pleasure boat or vessel unless—*

- (a) the boat or vessel is so licensed and the licence is not suspended; and*
- (b) the person in charge of the boat or vessel and any other person navigating it is so licensed and his licence is not suspended and the conditions of his licence are complied with*

(4) *A licence under this section shall not be required for any boat or vessel duly licensed by or under any regulations of the Board of Trade<sup>1</sup> or for a person in charge of or navigating such a boat or vessel.*

(5) *No person shall carry or permit to be carried in any pleasure boat or pleasure vessel a greater number of passengers for hire than shall be specified in the licence applying to such boat or vessel, and every owner of any such boat or vessel shall, before permitting the same to be used for carrying passengers for hire, paint or cause to be painted, in letters and figures not less than one inch in height and three-quarters of an inch in breadth, on a conspicuous part of the said boat or vessel, his own name and also the number of persons which it is licensed to carry, in the form "Licensed to carry persons."*

(6) *Every person who shall act in contravention of the provisions of this section shall for each offence be liable to a penalty not exceeding level 3 on the standard scale but a person shall not be guilty of an offence under this subsection by reason of his failure to comply with such conditions as are mentioned in subsection 3(b) of this section if it is shown that there is a reasonable excuse for the failure.*

(7) *Any person deeming himself aggrieved by the withholding, suspension, or revocation of any licence under the provisions of this section may appeal to a petty sessional court held after the expiration of two clear days after such withholding, suspension, or revocation:*

*Provided that the person so aggrieved shall give twenty-four hours' written notice of such appeal, and the ground thereof, to the designated officer for the court, and the*

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<sup>1</sup> Now the MCA.  
Version 1.0

*court shall have power to make such order as they see fit and to award costs, such costs to be recoverable summarily as a civil debt.*

*(8) No licence under this section shall be required in respect of pleasure boats and pleasure vessels on any inland waterway owned or managed by Canal & River Trust.*

*(9) In subsection (1) and (3) of this section "let for hire" means let for hire to the public.*



## SECTION 5

### AREAS OF OPERATION & WEATHER STATES

#### **Areas of operation**

The Merchant Shipping (Categorisation of Waters) Regulations, and Merchant Shipping Notice No MSN 1837 (M), should be consulted for a full list of areas.

#### **Weather States**

**Rough/ very rough weather** - Sea State 4 or above (wave height 1.2 to 2.0m)

**Very Rough Weather** - Sea State 5 (wave height 2.0m or more)

These sea states have been set because their likely wave height approaches that specified within the above MSN for Cat C or Cat D waters.

## SECTION 6

### GENERAL PRINCIPLES

#### **Annual Hull Survey**

A licensed boat shall be surveyed annually by the licensing authority's surveyor or by a surveyor approved by the licensing authority, including an appropriate out-of-water examination of the hull at least every five years (more frequently for wooden hulls) and this should be documented. No licence shall be issued in respect of any boat until the surveyor is satisfied that the boat is of sound construction, has adequate stability and is in a fit state and equipped to operate within its designated area.

The surveyor shall examine and report on the structural condition of the hull and shall examine and report on the propulsion machinery, the electrical and pumping installations - but only in so far as these affect the seaworthiness of the boat.

It is recommended that the surveyor is guided by the relevant provisions of paragraph 4-12 of the SCV Code and of the IWSPBC.

The licensing authority shall maintain a list of approved surveyors, whom it is recommended shall have adequate professional indemnity insurance cover.

#### **Reporting Procedure:**

The operator or skipper of every licensed boat shall before proceeding to sea, inform the coastguard, harbour master, port authority or other responsible body or nominated agent registered and approved by the licensing authority, stating the name of the boat, its destination, the number of persons on board the boat and the approximate time of its return.

#### **Insurance:**

All licensed boats shall carry adequate passenger liability and third party insurance cover.

#### **Drug and Alcohol Policy:**

The operator should have in place a Drug and Alcohol Policy, which should include a statement that no crew member is to be under the influence of alcohol or drugs while in charge of, or operating on, the vessel, or when preparing to take charge of the vessel.

#### **Safety Management System:**

With reference to para 2.6 and annex 4 of the IW Code, the following note is intended to act as a simplified guide for licensing authorities:-

All operators should provide a documented Safety Management System to ensure that best practice is adhered to at all times. Attention is drawn to the Inland Waters Small Passenger Boat Code, which contains advice on the setting up of a S.M.S.

The system should contain:

- The operators Health and Safety protection policy.
- Documented lines of communication between those with responsibilities in the operation. This should contain a clear statement to the effect that the skipper has final authority for the safety of the vessel.
- Procedures for the safe operation of the vessel. This can include, but not be limited to, equipment testing checklists, bunkering checklists, pre-departure checklists, passenger safety briefing.
- Operators to ensure that their passengers/hirers are fully conversant with the usage and stowage position of all safety appliances onboard and the wearing of lifejackets is to be demonstrated. Verbal instructions must be given to all passengers and hirers as per recommendations. The stowage position of the lifejackets is to be clearly marked and readily accessible.
- Emergency response procedures.
- Accident reporting procedures.
- Crew training records/records of musters and drills carried out.
- Instructions for the use of life saving apparatus, fire fighting apparatus, Navigational and safety equipment carried.
- Maintenance records including service records for life saving apparatus, fire fighting apparatus, engines, electrical installation, etc.

All licensed boatmen are required to leave ashore with a reliable person, the number of passengers onboard, separated into males, females and children under sixteen years of age. Details of where these records are kept and the shore contact, are to be left with the Harbour Master.

For self-hires, the licensed hirer will be required to record the name of the persons using the craft, separated into males, females and children. This information is to be retained by the hirer until the hire is complete.

## SECTION 7

### LICENCING GUIDANCE

The spectrum of different vessels which may be licenced makes a 'one size fits all' approach impractical; the following guidance is provided to assist licencing authorities determine what factors to consider during the licencing process.

Beach floats Pedaloos	Licence the operator Restrict area of operation (eg not allowed in areas of strong tidal currents or waterways) Operator to provide safety boat, the cox'n of which is to be a licenced boatman, or means of retrieving floats/pedaloos
Surfboard/bodyboard hire	Licence the operator Encourage operator to provide safety boat, the cox'n of which is to be a licenced boatman, or have alternative means of retrieving surfers Consider restricting area of use to within visual range of operator and/or lifeguard if practicable Encourage participants especially children to wear buoyancy aid
Canoes Stand Up Paddleboards (SUPs)	Licence the operator. SUP operators should be encouraged to adopt the 'BSUPA code of conduct' once it has been published. Operator to provide safety boat, the cox'n of which is to be a licenced boatman (safety boat not required in sheltered waters) All participants encouraged to wear buoyancy aids or life jackets, particularly novices Canoes to have sufficient internal buoyancy to remain afloat when filled with water Canoe or SUP to have leash, handrail or rope (as appropriate) to which participant can hold onto in the event of entering the water/capsize Restrict area of operation (eg not allowed in areas of strong tidal currents or waterways)
Power surfboard	Licence the operator Restrict use to areas free of bathers Users to wear life jackets or buoyancy aids
Windsurf or sail board	Licence the operator, who should be RYA qualified Operator to provide safety boat, the cox'n of which is to be a licenced boatman Participants to wear life jackets or buoyancy aids Each board to carry some form of safety signalling device (eg radio or other apparatus) Restrict use to areas free of bathers
Hovercraft	Licence the operator, who must hold a Certificate of Competence by the Hover Club of Great Britain Limited Operator to provide safety boat, the cox'n of which is to be a licenced boatman Users to wear life jackets or buoyancy aids Fan(s) to be safely screened Each craft to be fitted with control system which automatically throttles back Hovercraft registration certificate, plus CAA Hovercraft Safety Certificate MCA hovercraft operating permit
Self-drive motorboats	Licence the operator Operator to provide safety boat, the cox'n of which is to be a licenced boatman Restrict to areas free of bathers Motorboats to be fitted with propeller safety guard

	<p>All participants to wear buoyancy aids or life jackets</p> <p><b>Every user to be given safety instruction prior to taking control of the craft, to include areas of use, means of attracting attention in case of difficulty, navigational orientation (eg explanation of buoyage in the area etc) and Col Regs</b></p>
<p>Personal water craft (PWC) eg jet ski, flyboard</p>	<p>Licence the operator</p> <p>Restrict use to areas absolutely free of bathers and other water users (although it may be permissible to allow jet skis and water-skiers may use the same designated area)</p> <p>Operator to provide safety boat, the cox'n of which is to be a licenced boatman</p> <p>Users to wear life jackets or buoyancy aids</p> <p><b>Every user to be given safety instruction prior to taking control of the craft</b></p> <p>See also notes in Section 11</p>
<p>Water skiing</p>	<p>Operator and each boat to be licenced</p> <p>Operator should hold British Waterski and Wakeboard (BWSW) Coach Licence and conform to codes of practice</p> <p>At least 2 people in the boat when towing a person on skis (driver and observer) when towing a person on skis</p> <p>Boat driver should hold at least Ski Boat Driver Level 2 or equivalent</p> <p>Restrict use to areas absolutely free of bathers and other water users (although it may be permissible to allow jet skis and water-skiers may use the same designated area)</p> <p>Area of take off and drop off to be marked and direction of circulation to be specified</p> <p>Every participant to wear life jacket or buoyancy aid</p>
<p>Parascending/parasailing</p>	<p>Operator and each boat to be licenced</p> <p>Boat cox'n to be licenced</p> <p>At least 2 people in the boat (driver and observer) when towing a person</p> <p>Every participant to wear life jacket or buoyancy aid</p> <p>Restrict to areas absolutely free of bathers</p>
<p>Kite Surfing</p>	<p>Operator to be licenced</p> <p>Operator to provide safety boat, the cox'n of which is to be a licenced boatman</p> <p>Restrict to areas free of bathers</p> <p>Participants to wear life jacket or buoyancy aid</p>
<p>Water taxi carrying no more than 12 passengers</p>	<p>Licence the boat and boatman</p>

## Notes

Operators should be required to display notices stating

“No person should attempt to use one of these craft unless he or she can swim at least 40 metres fully clothed”

Safety boats. Where a safety boat is required is must either be afloat or ready for immediate launch.

Life jackets and buoyancy aids must be CEN or MCA approved.

## SECTION 8

### BOAT INSPECTION CHECKLIST

<b>Boat Name:</b>	
<b>Date:</b>	
<b>Category:</b>	

- \* MCA Inland Water Small Passenger Boat Code
- \* MS (Boatmaster's Qualifications, Crew and Hours of Work) Regulations 2015

		Ref. *	Remarks
Third party Liability Insurance for £3M			
<b>Skipper</b>			
<b>Category A/B</b>	<b>Category C/D</b>		
Skipper to have an appropriate Qualification or demonstrate to Operator that competent and Local experience. Recommended minimum qualifications: MCA BMLT2L1 /RYA Inland Helm + 12 months experience/ RYA power boat level 2 + 12 months experience/ Waterman's license issued by competent authority	Skipper to have as minimum MCA BML T2L2/ RYA Coastal/Day skipper + commercial endorsement + 12 months experience/ RYA power boat level 2 + commercial endorsement + 12 months experience/ Waterman's/Boatman's License issued by competent authority	26.1 26.2	
1-day short range VHF certificate. If VHF fitted	1-day short range VHF certificate. If VHF fitted	26.3	
Medical certificate: ML5/ENG1/ CAA commercial pilots license DVLA group 2 drivers license HSE diving medical certificate	Medical certificate: ML5/ENG1/ CAA commercial pilots license DVLA group 2 drivers license HSE diving medical certificate	26.4	
Evidence of satisfactory colour Vision if not marine medical	Evidence of satisfactory colour Vision if not marine medical	26.5	
Basic Sea Survival certificate	Basic Sea Survival certificate	26.6	
<b>First Aid</b>			
Elementary/ RYA Small Craft First Aid Certificate/ HSE approved/ Ambulance service First Aid certificate.	Elementary/ RYA Small Craft First Aid Certificate/ HSE approved/ Ambulance service First Aid certificate.	30.1	To be held by Skipper or other member of the crew
Validity 5 years		30.2	

RYA small craft first aid is valid for 3 years

<b>Construction and Structural Strength</b>		
On first survey: Post 1998, EC Recreational Craft Directive 94/25/EC builders CE plate Cat A/B waters design cat. D. Cat. C/D waters, design cat C	3.4.3	
Max No of persons.	3.4.3	
Hull Id No. (starboard side transom + hidden location)	3.4.3	
Owner's Manual – declaration of conformity & stability/ loading data Safe operation of boat info/ equipment positions	3.4.3	
Pre 1998 boats on first application: Survey by appropriate surveyor that boat is IAW this code/Code for Design, Construction, Operation of Hire Boats Code, <b>or</b> builders certificate with evidence that the boat is appropriately constructed for the area of intended operation.	4.1	
Vessels holding existing license in SASHMA areas: Recent history of safe operation in required operating area.	4.5	
Weed hatch if fitted: 150mm above waterline and watertight	4.6	
Hull/shell fittings/steering/propulsion to have documented Out of water examination by competent person at least every 5 years	4.7	
<b>Water freeing arrangements/drainage</b>		
If water may be trapped – min. 2 freeing ports (1 each Side) of Area: Cat. A/B 65 sq. cm/ Cat C 135 sq. cm/ Cat D 225 sq. cm	6.1.1	
<b>Machinery</b>		
Fit for purpose for intended service. Materials fire resistant or otherwise protected	7.1.1	
Moving parts/hot surfaces/other hazards protected for normal movement around vessel.	7.1.1	
Sufficient fuel capacity for area of operation.	7.1.2	
Fuel tank vents to have flame gauze and be at or above filling plate level and no danger of fuel/vapour escape.	7.1.2	
Engines in dedicated compartment remote from operator then shut off fitted in feed pipe as close to tank as possible.	7.1.3	
Outboard petrol tanks to have quick connection shut off device.	7.1.3	
Reliable starting mechanism. If by battery then battery charger fitted. Cat C/D then duplicate battery + change over switch.	7.1.5	
Inflatable boats & open boats able to reach planing speed: if remote throttle controls - then fitted with kill cord.	7.1.7	

<b>Diesel engines</b>		
If fuel tank has sight glass then self closing v/v to prevent spillage Portable fuel storage unit to be metal & means to contain spills & direct overside drainage of spills.	7.2.2	
Located on deck & away from heat source & build up of vapour. Separate from LPG	7.2.2	
Containers stored upright, secured & labelled (haz. Etc). Not to impede movement around vessel or escape routes.	7.2.2	
<b>Petrol engines</b>		
To be suitable outboard.	7.3.1	
Fuel filling lines flexible hoses – connections leak proof and easily accessible for inspection.	7.3.1	
Fuel Tanks non-corrosive material. Secured low down as practicable. Joints/seams to be welded/brazed/close riveted – no solder. No Glass/plastic sight gauges – indicators to not allow escape of fuel if damaged. Dipsticks if fitted to be via gas tight fittings.	7.3.1	
Tanks bonded to deck filling plate & earth point in contact with water surrounding hull. Tanks > 2.5l within 1m of engine/heat source to be protected by Fire resistant baffle.	7.3.1	
Fuel drawn through top/near top of tank, except gravity feed to ensure no fuel dump if tank damaged. Fuel filters marine use and fire resistant. Flame trap/air filter to be fitted to air intake.	7.3.1	
Feed pipes suitable material, Adequately supported/Clear of exhaust/heat sources.	7.3.1	
Vessels may have < 5HP auxiliary engine with integral fuel tank if provided with filling precautions sign.	7.3.2	
Other than inflatable boats – permanent tank any spillage to drain overboard. Or portable tank < 27l.	7.3.3	
Hydrocarbon detector in enclosed locations liable to vapour build up.	7.3.4	
Spare portable petrol containers not to be carried unless essential. If so, marked (haz etc.), secured on deck, easily jettisoned, spillage to drain Overboard. Away from LPG. Not impede normal movement or on Escape routes. Alternatively in fire resistant locker, Overside drainage.	7.3.5 7.3.6	
Small Vessels may have 5l container in deck locker vapour tight to interior/Not able to open from interior/drain overboard & ventilated to Atmosphere.	7.3.7	
<b>Electrical Installation</b>		
Electrical equipment away from areas liable to hydrocarbon gas build up.	8.3	
Centralised lighting to have back up – may be torches sufficient to exit to open deck/deploy LSA/illuminate rescue equipment/work on essential machinery.	8.4	



Batteries firmly secured. If charging output > 0.2kW, batteries in well ventilated space. If >2.0kW well ventilated dedicated compartment. If natural ventilation then risk assessment to prove low risk to life.	8.5.1 8.5.2	
Battery operated safety critical equipment to have back up.	8.5.4	
<b>Steering Gear/ Steering Position</b>		
Effective steering system with emergency arrangements.	9.1 9.3	
Helmsman clear view.	9.2	
<b>Bilge Pumping/ Draining</b>		
Powered or hand pump – allow any compartment to be drained. Holding tank for oily bilge water. Auto start recommended except in areas where potential pollutants, no drawing from oil tight areas beneath engine/gearbox.	10.1 10.3	
Category A/B open vessels bucket/bailer	10.2	
Bilge alarms if fitted to give audible/visual warning at control position	10.4.2	

<b>Anchors and Cables</b>		
Anchor with min. 4m chain.	20.1	
20m continuous length of rope, suitable for towing.	2.3	

<b>Life Saving Equipment</b>			
<b>Category A/B</b>	<b>Category C/D</b>		
One lifebuoy 18m line + light at night May have throw line as alternative If lifejackets worn then not required	2 lifebuoys, 1 with 18m line + light at night. If lifejackets worn by all then not required	13.1	
Lifejackets not required unless Vulnerable people – risk assessment must be provided	Enough for all on board. Solid buoyancy or inflatable. Not to rely solely on oral inflation. EN 396 150N (ISO 12402-3) or EN 399 275N. (ISO 12402-2) Lights if used at night. Serviced annually if regularly used, bi annually as minimum if not	13.2	
<b>Category A/B/C</b>	<b>Category D</b>		
Life raft not required	Liferaft for all on board. MCA/ISO 9650 Approved. SOLAS 'B' pack or MCA 'E' pack containing:		
	Buoyant line with buoyant quoit	13.3	
	2 buoyant folding safety knives + lanyards stowed near painter	13.3.3	
	Buoyant bailer + lanyard	13.3.3	
	2 sponges	13.3.3	
	sea anchor attached to raft	13.3.3	
	2 buoyant paddles	13.3.3	
	1 <sup>st</sup> Aid kit in waterproof case	13.3.3	
	Whistle	13.3.3	
	2 Red hand flares	13.3.3	
	Puncture repair outfit + bellows	13.3.3	
	Equipment not attached to raft may be packed in raft by authorised person and contents listed on certificate or stowed in grab bag in prominent Position.	13.3.4	
	Liferaft stowed on deck + hydrostatic Release or in readily accessible and	13.3.5	

	Dedicated locker opening onto deck.		
	Maintained at manufacturers required intervals	13.5	
	Instruction/maintenance manual	13.4.1	
	If the flares and Buoyant line with buoyant quoits are sealed within the life raft, then the equivalent should be also carried in an accessible place on the vessel.	2.3	
	2 orange smoke floats	2.3	

<b>Fire Safety</b>		
Machinery compartments to ensure retention of released Fire Fighting Extinguishing medium to extinguish fire.	14.1	
Insulation non-combustible and impervious to oil.	14.2	
Means provided so as to keep machinery clean + means to contain oil spillage	14.3	
Recommended that fixtures and fittings to be fire retardant	14.5	
Galleys/sleeping accommodation fitted with smoke/heat detectors	14.6 14.7	
LPG installations annual inspection by competent person	14.4	

<b>Means of Escape</b>		
Means of escape such that no single event cuts off all escape routes. Account taken of numbers and restrictions on use of escapes.	14.8.1	
2 means of escape from: each sleeping compartment or other at risk accommodation	14.8.1	
2 means of escape from machinery space unless only occasionally visited and exit allows ready escape, or person always within 5m of exit	14.8.1	
Existing vessels with single means of escape from accommodation to have fire detectors as necessary for early warning.	14.8.2	
<b>Fire Fighting Appliances</b>		
Open/partially decked with no engine/ cookers/ heating/lighting etc, No fire extinguisher required.	15.1	
Inboard engine space to have remotely operated system either manual or automatic. May be portable extinguisher operable from outside the space, through fire hole. Extinguisher suitable for size of space but minimum rating 5A/34B.	15.2	
Cat A if outboard then 1 x suitable fire extinguisher		
Cat B/C/D Vessels >6m LOA, hand/powered pump + hose/nozzle to give 1 jet of Water to any part of vessel, <b>or</b> 1	15.5	

multi-purpose extinguisher min. rating 13A/113B kept outside engine space or more in number giving an equivalent rating		
1 multi - purpose fire extinguisher min. rating 5A/34B at each exit from accommodation to deck but min. 2 extinguishers.	15.6	
Fire blanket in Galley/cooking area between door and stove.	15.7	
Fire bucket with lanyard	15.5	
Emergency Response Plan.	19.7	
<b>Navigational Equipment</b>		
Navigation lights IAW International Collision Regs.	17.1	
Efficient sound signalling equipment.	17.4	
Waterproof signalling torch	19.6	
Boat Hook	19.6	
Day shapes (anchor ball, cone for sailing vessels motoring etc....)		
<b>Category C/D</b>		
Magnetic compass with deviation card <b>or</b> Fluxgate compass + back up supply, with deviation card if not internal calibration.	19.1 19.2	
Current chart/publications/tide tables for area of operation.	19.3	
Radar reflector/transponder	19.4	
Sailing vessels to have means of clearing rigging if dis-masted.	19.5	
<b>Communication Equipment</b>		
VHF fixed or mobile (recommended VHF DSC) + license.	16.1	
Portables to be waterproof or in waterproof pouch.	16.3	
Emergency communications card - easily accessible	16.4	
<b>Accommodation</b>		
Sufficient handholds/grab rails fitted within accommodation for safe movement around vessel.	21.1	
Furniture/heavy equipment securely fastened	21.2	
Stowage Lockers to have secure fastening.	21.3	
Means of escape clearly marked and free from obstruction.	21.4	
Enclosed spaces adequately ventilated	21.5	

<b>Protection of Personnel</b>		
Areas frequented by passengers to be enclosed <b>or</b> guard-rails/wires To min. ht. 1000mm. Maybe reduced in Cat A/B if passengers seated	22.1	
If impedes working of vessel then arrangements giving equivalent safety	22.3	
Cat. C/D – 2 safety harnesses and means of securing.	22.5	
Surface of working deck to be non slip/ Inflatable boats, upper surface of tubes non-slip finish.	22.6	
Appropriate First Aid Kit stowed in accessible place.	23	
<b>Tenders (Dinghies)</b>		
If carried, should be marked with carrying capacity and name of vessel	24	
<b>Prevention of Pollution</b>		
Sanitation system to be capable of being sealed or made inoperable.	25.2	
Oil tight tray fitted beneath engine/gearbox to prevent leakage. Sides of tray as high as practicable. Not required if oil tight structure fitted fore & aft of engine. No bilge pump to draw from oil tight area.	25.4	

## **SECTION 9**

### **LICENCES FOR BOATMEN**

#### **General**

Any person having charge of a boat for the purpose of carrying passengers for hire shall be in possession of a current Boatman's Licence or an acceptable alternative licence as prescribed in the IWSPBC section 26.2.4 or Part 2 (Boatmasters Licences) of the Merchant Shipping (Boatmasters' Qualifications, Crew and Hours of Work) Regulations 2015.

Examiners should be appointed by the Harbour Master of the appropriate port or a MCA/RYA Yachtmaster Examiner.

#### **Minimum Age**

The minimum age for granting a Boatman's Licence shall be 18 years.

#### **Duration**

Licences shall be granted for a period of no longer than 5 years or until the holder reaches the age of 65 whichever period is shorter. Licences issued to persons of 64 years or over will be valid for three years or until the holder reaches the age of 75 whichever period is shorter. Licences issued to persons of 74 years and over will be valid for one year.

#### **Exemption**

Persons holding a current MCA Certificate of Competency for Deck Officers, an RYA Yacht master, MCA Boatmaster's License of an appropriate grade and for the appropriate area, or RYA Yachtmaster Coastal/Day Skipper/Advanced Powerboat or Powerboat level Certificate, with Commercial Endorsement, and 12 months relevant experience, or other higher qualifications, shall be exempt from all parts of the examination except that some licensing authorities may wish to examine all applicants on local knowledge.

#### **Endorsements**

The Boatman's Licence may be endorsed to give limitations with regard to area of operation, category of craft or other service at the discretion of the Examining Officer.

#### **Medical Fitness**

Licensed Boatmen should be in possession of an ML5 medical certificate or equivalent as prescribed in regulation 26.4 of the IWSPBC. Merchant Shipping Notices provide details of General Practitioners who will issue Medical Certificates complying with MCA requirements. Note that if an ML5 form is used to ascertain medical fitness the referral process contained therein cannot be employed – the MCA will return referrals to the licencing authority and it will be for them to determine whether or not the applicant is medically fit to hold a Boatmans' licence.

### **VHF Licence**

A person wishing to have charge of a vessel fitted with VHF Radio is to produce a certificate of competence and authority to operate a VHF radio. The licence must be the Short Range Certificate (SRC) if the vessel's radio is DSC capable.

### **Basic Sea Survival Course**

Licensed boatmen shall hold an approved Basic Sea Survival Course Certificate as prescribed by regulation 26.6 of the IWSPBC.

### **First Aid Certificate**

Licensed Boatmen shall hold an appropriate First Aid certificate as prescribed by regulation 30 of the IWSPBC

## SECTION 10

### SYLLABUS FOR EXAMINATION FOR A BOATMAN'S LICENCE

#### International Regulations for Preventing Collision at Sea

Full knowledge and practical application of the steering and sailing rules Part B. Section 1 (rules 4-9) and Part B, Sections II and III and a general knowledge of all other rules.

#### Distress Signals

Knowledge of the contents of Annex IV of the International Regulations for Preventing Collisions at Sea and the operation of the signals and equipment carried in the boat or boats for which the candidate is being examined.

#### Navigation

**Compass:** The candidate should be required to demonstrate his ability to steer a compass course. He should have an elementary knowledge of the effects of metal in the vicinity of the compass and a working knowledge of the application of deviation and variation.

**Tides:** Use of the tidal stream atlas and tide tables for calculation of tidal heights and dept of water for standard and secondary ports.

**Chart Work:**

- i) Plotting positions
- ii) Working up course to steer
- iii) Common chart symbols

#### Uniform System of Buoyage

Candidates should demonstrate a working knowledge of the System.

#### Local Knowledge

Byelaws, General directions, harbour directions

Port Authority VHF channels

Sources for LNTM's

Local traffic regulations

Local sea marks, to include buoyage, lights, leading lights and marks.

**Local dangers to navigation:** Minimum and maximum depths over banks or obstructions, currents and abnormal tidal streams.

Local safe landing places in differing weather conditions.

A general knowledge of the times and heights of spring tides and abnormal tides.



Safe compass courses in or out of local harbours.

Any other items of local knowledge which the examiners may consider to be necessary.

## **Boat Handling**

Effects of windage on hull and rig.

Propeller and rudder effects.

Berthing and unberthing.

Mooring. (No motoring against spring while embarking / disembarking)

Use of warps.

General helmsmanship.

Use of anchors.

## **Emergencies**

Procedures and instructions to passengers in the following cases: -

Man overboard.

Fire.

Beaching or stranding.

Engine breakdown.

Collision.

Abandoning ship or sinking.

Heavy weather.

Restricted visibility.

## **Weather Reports**

Ability to obtain and understand weather reports.

## **Ropework**

Knots, hitches, bends and splices in general use.

## **First Aid**

Simple first aid, including resuscitation

## **Distress and Rescue**

A knowledge of the Distress and Rescue section of the Annual Notices to Mariners. (Any local Protocols).

### **Note:**

The syllabus may be varied to reflect a particular limitation on area of operation intended by the applicant and the licence suitably endorsed.

## SECTION 11

### LICENCES TO LET SMALL BOATS FOR HIRE

#### **SMALL VESSELS WITH LIMITED AREA OF OPERATION AND COMMERCIALY OPERATED PLEASURE CRAFT USED FOR LEISURE ACTIVITIES FROM A BEACH OR HARBOUR**

**Category 1A** - Small boats hired out, not in charge of a licensed boatman, excluding beach and other craft referred to in Categories 1B and 1C, suitable only for operations in sheltered waters or close to the shore.

**Category 1B** - Hire Boats capable of a speed of 17 knots or over whether or not in charge of a licensed boatman, (e.g. speedboats, jet skis, etc).

**Category 1C** - Craft other than those listed in Categories 1A and 1B of the type operated from the beach (such as pedalos, floats and other such craft adapted to go in the water) hired out and not in charge of a licensed boatman.

Boats under this category should operate under the Guidelines contained in The MCA I/WSPBC Annex 5.

#### **Areas of Operation:**

**Normal Weather.** Close to shore: - Limits to be determined by the licensing authority.

**Rough/Very Rough Weather** – Sea State 4 or above (Wave Height >1.2m) not to operate.

#### **General**

No person shall let for hire or reward any licensed vessel in Categories 1A, 1B (when not in charge of a licensed boatman) or 1C without having first obtained a licence from the Local Authority (herein called a Licence to Let Boats for Hire).

#### **Marking and Inspection**

Every vessel before being let for hire or reward shall have exhibited in some conspicuous part the forenames and surname of the licensed owner and the total number of person allowed to be carried. The Licence to Let Boats for Hire may be suspended if at any time an authorised Officer of the Local Authority shall be of the opinion that any of the vessels on hire is unfit to carry passengers.

#### **Persons in Charge**

The Licensee shall be responsible that no motor boat, mechanically propelled boat or sailing boat shall be let for hire or reward unless a competent person(s) be placed in charge thereof by the licence holder and remain in charge so long as the hire shall last. Such competent person should hold a nationally recognised qualification for the activity concerned, i.e. water sports instructors certificate. Additionally, the Licensee may require a Local Authority Licence/concession to operate.

Towing craft should have a minimum of two crew at all times, one to navigate and one to observe the tow.

Inflatable tows should be capable of supporting 110% of the manufacturers maximum weight limit with any one separate inflatable compartment punctured or otherwise deflated.

Persons under 8 years of age must be accompanied by an adult at all times.

In cases where vessel(s) let for hire are remote from the competent person, then the licensee shall ensure that there are sufficient competent persons to maintain visual contact with the hired vessel(s) at all times and provide sufficient means of immediate rescue in the event of an incident.

The Licensee shall ensure that the equipment is maintained in a proper state and that hirers are provided with sufficient information about the craft and it's equipment to enable it to be used safely for the intended purpose and that hirers are competent for the intended operation, Paragraph 1 of "Persons in Charge" defines competency in terms of required qualifications. This paragraph does not.

The licensee shall ensure that procedures are in place to alert the emergency services in the event of an incident, report and record to the licensing authority all incidents that have or could have led to injury.

### **PERSONAL WATERCRAFT (PWC)**

In addition to the above, in the case of PWC, the licensee shall ensure that the hirer be aged 16 or over and be in possession of a valid driving license, an appropriate marine qualification or a nationally recognised qualification for the activity involved.

No person under 8 years old should be allowed to accompany the hirer.

PWC should not be hired for towing activities.