

NAVIGATIONAL RISK ASSESSMENT WORKING GROUP

NRAWG Date:	16/12/13	Owner:	T Lawrence	NRAWG Ref:	48	NRAWG Title:	Review of LKE Areas Risk Assessments
--------------------	----------	---------------	------------	-------------------	----	---------------------	--------------------------------------

Group Members:

Name	Organisation	Name	Organisation	Name	Organisation
T Lawrence	PLA HMU (Chairman)	R Prentice	Crown River Cruises	D Mann	Thames Clippers
J Parkes	PLA DCHM	R Towner	MCA	A Hickman	CWL Training Officer
M Towns	PLA DHM(U)	G Faulkner	GPS	L Brown	Thames Shipping
J Reid	PLA River Pilot	C Livett	TLC / Barges	S Neicho	Capital Pleasure Boats
D Knight	PLA AHM(U)R Secretary	D McGlinchey	Thames Experience		

Detail / Terms of Reference	Observation/Recommendation
<p>The NRAWG was established to:</p> <ol style="list-style-type: none"> Review the original LKE area risk assessments – Teddington to Putney Bridge, Putney Bridge to Margaretness and Margaretness to the Category D/Sea limit - to confirm or otherwise, the current requirement for a BML LKE; Consider the Putney Bridge to Margaretness LKE area and confirm or otherwise, the practicality (operationally and administratively) of dividing the area into two sections, and whether London Bridge is an appropriate location for that divide; 	<p>Executive Summary</p> <p>Term of reference item 1. The NRAWG considered the risk assessments produced by the PLA and concluded the process and principles the PLA had adhered to were objective, appropriate and demonstrated the sections of the tidal Thames where an LKE is appropriate. NMT are recommended to confirm agreement for the need of Thames LKE only in the Margaretness to Putney area as identified by the 3 risk assessments.</p> <p>Term of reference item 2. The NRAWG concluded the PLA should hold a wider consultation on the split of the existing LKE area and where the split would be. NMT to then consider the results of the consultation with the considered benefits of splitting.</p> <p>Term of reference item 3. This report to be considered with documents 140103 –MT- LKE risk assessment (as updated by actions agreed at NRAWG 48), 131125 LKE risk reduction matrix, 131125 – MT – PLA Risk Assessment matrix with RCM scoring, and LKE Review – Incident statistics for distribution.</p> <p>Additionally The NRAWG concluded:</p> <ul style="list-style-type: none"> - There was disagreement on the PLA’s proposal to split the LKE area, but the WG were not able to identify any safety issues if the LKE area was split. - The operators present would be willing to supply the PLA with their Masters qualifications for the purpose of enforcing the Thames LKE requirements, but would await the formal response from the MCA regarding access to the database of Thames LKE holders.

3. Submit a report with associated recommendations, to the PLA's Navigational Management Team before the end of December 2013.

- The PLA should consider undertaking a more proactive role in enforcing the requirement for Thames LKE; including boarding of vessels by the PLA's Harbour Service Launch.

DETAIL

INTRODUCTION.

The NRAWG was presented with the completed risk assessment for Margaretness to Putney Bridge. The mitigation measures for each risk being split separately into BML and LKE related measures, so that the subtotal scores indicate the effect of being a BML holder, and the total score for each risk includes the added LKE measures. This being to determine, a) whether the risk score needed to be reduced further than that achieved by BML holders alone, and b) if adding LKE has a further significant beneficial impact. The PLA Risk Scoring 5 x 5 Matrix and the Risk Reduction Matrix were both explained. The importance of consistent scoring using the risk reduction matrix in relation to all three risk assessments so that a fair comparison for the three areas is achieved was stressed. The NRAWG were asked to consider the consistency of scoring through the 3 risk assessments to provide the comparison for the three areas, rather than dissecting individual scores. Finally the basis of the incident statistics was explained. The accident statistics relate only to those incidents attributable to BML or LKE knowledge as these are the issues being considered in determining their likelihood (frequency) for the purposes of the risk assessment. Therefore incidents attributed to mechanical failure, steering failure, blackout and the like have not been included.

1a Review of existing LKE area Risk Assessment (Margaretness to Putney Bridge)

A detailed review of the Margaretness to Putney Bridge risk assessment then followed where the following points were raised:

- The scope of the risk assessment was challenged with particular reference to why additional hazards, such as terrorism and man overboard had not been included in the risk assessment; as local knowledge can be considered a benefit in such circumstances in particular reference to evacuation points. This was discussed at length and the PLA advised that they did not initially consider Terrorism as a navigational issue as this particular issue is well considered by the MPU and local operators, with procedures such as 'Operation Boatman' and should be considered within individual operators SMS documentation. However the NRAWG concluded that LKE did offer a number of benefits in the area of emergency response.

Action: PLA to add Emergency Response to the risk assessments.

- **The working group were generally supportive of the risk assessment and the need to retain the Thames LKE between Margaretness and Putney Bridge.**

1b Review of existing LKE area Risk Assessment (Margaretness to sea)

The Chairman again explained that the scoring for this risk assessment was achieved using the same principles as the Margaretness to Putney Bridge risk assessment; including the risk control measures carrying the same level of weighting.

The NRAWG considered the completed risk assessment and identified the following:

All risks except one were mitigated effectively to minor or slight (requiring no further controls) by BML holders alone. This meant

that the need for consideration of additional LKE mitigation measures was not strictly necessary, but had been done for completeness for the benefit of the WG.

- There was a lengthy debate on the methodology for scoring the frequency based on incident data in in this area and it was explained that frequency scoring was based on the number of incidents involving BML holders in the last 4 years.
- It was noted that if there was a future change in traffic density in the lower reaches of the Thames, then the PLA may need to reconsider this risk assessment to reflect those changes.
- The PLA highlighted to the working group that all new operations are subject to PLA approval though risk assessment (PLA General Direction 12) and any potential PLA risk control measures identified through this process.
- The following actions were also identified:

Action: Hazard 3 to be amended to include "Notice to Mariners" as a control measure.

Action: Hazard 4 to be amended from AIS failure to AIS / Radar failure.

It was agreed by the NRAWG that this particular risk assessment would demonstrate to the MCA that there would be little additional benefit in having an LKE in this area.

1c Review of Putney Bridge to Teddington Risk Assessment

The Chairman again explained that this risk assessment had also been introduced using the same principles as the previous risk assessments.

The NRAWG considered the risk assessment and identified the following:

All risks except one were mitigated effectively to minor or slight (requiring no further controls) by BML holders alone. This meant that the need for consideration of additional LKE mitigation measures was not strictly necessary but had been done for completeness for the benefit of the WG.

- The WG membership considered the current low number of incidents in the Upper district was possibly due to the high number of license holders who were assessed for their local knowledge of this area under the previous certification process. The WG felt that when these license holders retire, there is a potential for the number of incidents to increase as there may be a lack of local knowledge.
- Some representatives stated they would prefer to see this area also covered by a LKE, due to the potential difficulties of navigating commercial vessels in an area with high numbers of recreational vessels.

However; it was agreed by the NRAWG that this particular risk assessment would demonstrate to the MCA that there would be little additional benefit in having an LKE in this area.

2 Proposal to divide the LKE area into two sections

The Chairman tabled a proposal to split the current LKE area into two sections with the division at London Bridge. It was explained that the purpose of this proposal was to provide greater flexibility for operators to meet the requirements of the LKE by only being required to learn local knowledge for the area that they are trading in, which in some cases meant vessels and their masters were physically unable to navigate. Some examples of existing operators this would benefit were given as well as an explanation of future projects, concentrated below London Bridge, where a split in the LKE would provide a simpler mechanism to achieve local knowledge.

The NRAWG members considered this proposal and identified the following:

- The WG members were unable to identify any safety concerns associated with splitting the LKE area; although it was noted that an overlap would need to be considered to ensure BML holders have a full appreciation of all the issues within the LKE area.
- The WG raised a number of concerns regarding the commercial issues associated with splitting the LKE area and the potential for non-local operators to more easily undertake work on the Thames.
- The MCA would be content if the PLA decided to split the LKE area and emphasised it is the PLA's LKE area and the scope of the LKE is for the PLA to determine. However, it was noted that if any splits were introduced, then the examination process would need to have some level of overlap.
- Concerns were raised as to whether the PLA and/or MCA could actually enforce a split in the LKE area given the previous discussions on enforcement. The PLA suggested that options for improved enforcement could be considered to compensate for these concerns.
- Operators would prefer to maintain the status quo and not split the LKE as it was perceived that it would offer a more flexible workforce if all BML holders had a full LKE. However, it was noted that operators would support a split in the LKE area, if the LKE area extended from Putney Bridge to Cat D waters.

Action: PLA agreed to hold a wider consultation on the split of the existing LKE area and where the split would be.

Other Identified Issues

- The MCA were able to advise that a Thames LKE could be issued on a European Boatmaster's Certificate (BMC) if the BMC was valid for tidal waters.
- There were some concerns raised regarding the enforcement of the Thames LKE and how the PLA currently monitors this requirement to ensure Masters within the Thames LKE area are appropriately qualified. The PLA were able to advise that the Thames LKE is monitored through the following methods:
 1. Following an incident
 2. Through the PLA's event licensing process
 3. Through the PLA's River Works Licensing process
 4. Following 'tip-offs' from operators
 5. Through the PLA's Vessel Licensing requirements

The PLA explained the current difficulties enforcing the Thames LKE as they have not been permitted to receive a list of Thames LKE holders from the MCA. The operators present expressed a view that they would be content for details of their employee's LKE status to be passed to the PLA and they would like to see random spot checks of LKEs undertaken by the PLA's Harbour Service Launch. The Working Group also considered that enforcement should be included within the risk assessment.

Action: PLA to add Enforcement to the LKE risk assessment.

Action: MCA to consider giving the PLA access to the BML database.

- A concern was raised over the lack of High Speed Endorsement for those masters holding an alternative qualification, under the BML regulations, but navigating vessels able to exceed 20 knots. This issue was deemed outside of the scope of the NRAWG, but the MCA were made aware through their representative.
- A concern was expressed that the requirement for an MCA LKE on a BML licence and a PLA LKE on an alternative qualification (under MGN 1808) was a confusing and unnecessary complication.
- A concern was expressed that the current PLA LKE assessments were undertaken without local practitioners and the operator asked whether an external Thames practitioner should also be present. Another operator noted the ready availability of PLA LKE examinations on the current system.

Action: PLA to consider extending an invitation to external Thames practitioners when these exams are undertaken, however it should be noted that the PLA would not be able to pay for their time to attend, and may well result in reduced availability of examinations.

Panel Chairman:	T Lawrence	Signature:	<i>T Lawrence</i>	Date:	03/01/14
--------------------	------------	------------	-------------------	-------	----------