VESSEL LICENSING

TECHNICAL REQUIREMENTS FOR THE ISSUE OF A CERTIFICATE OF COMPLIANCE
(THAMES BYELAW 16)

Introduction

This document identifies the additional licensing and inspection requirements for any vessel, commercial or recreational, seeking and maintaining a Port of London Authority (PLA) Certificate of Compliance, in order to exceed the mandatory speed limit between Wandsworth Bridge and Lambeth Bridge and/or St Saviour's Dock and Margaretness, under the provisions of Thames Byelaw 16.

The criteria were developed following extensive and objective risk assessment, and encompass the relevant principles and elements of the High Speed Craft (HSC) Code (2000), International Safety Management (ISM) Code, the Small Commercial Vessel Code – MGN 280 (SCV Code), and where appropriate, the Inland Waters Small Passenger Boat Code (IWSPBC).

Licensing Structure and Requirements

1. Core Requirements

In order to obtain and maintain a Certificate of Compliance, vessel operators and or owners will need to meet the following requirements:

1.1 All vessels should normally be constructed to the requirements of the Maritime & Coastguard Agency (MCA) through either the High Speed Craft Code, SCV Code, Recreational Craft Directive, or demonstrate five years safe operating history whilst certificated under the PLA's Thames Freight Standard, or another equivalent standard recognised by the PLA.

1.2 Any vessel that falls within the scope of Section 11.1.1.2 of the SCV Code shall also meet the relevant requirements of Sections 11.2 and 11.3 of the SCV Code, and in lieu of an approved stability information booklet, shall demonstrate compliance with the requirements of Section 11.2 and 11.3 by way of certification through a Notified Body.

1.3 Commercial vessels owners/operators must implement a robust operational and vessel management regime, including an appropriate Safety Management System (SMS) developed using the principles described in Chapter 18 of the HSC Code (2000) and the ISM Code. In particular ISM Code Chapters:

a) Safety Management System;
b) Designated Person(s);
c) Development of Plans for Shipboard Operations;
d) Emergency Preparedness; and
e) Reports and Analysis of Non-Conformities, Accidents and Hazardous Occurrences.

1.4 Recreational vessels must implement the PLA's Recreational Vessel SMS (See Annex 4).

1.5 Port Passage Plans – In addition, all operators shall develop and include in the vessel's SMS documentation, a detailed generic Port Passage Plan for each vessel seeking a Certificate of Compliance. The Passage Plan must be submitted to the Harbour Master for approval prior to the issue of a Certificate of Compliance. Failure to adhere to the requirements of the Passage Plan may result in the Harbour Master undertaking a 'for cause' inspection as detailed in section 3.

1.6 Additional Equipment - In addition to the above requirements, each vessel must be:

a) equipped with an operational Automatic Identification System Type Alpha (AIS A); and

b) fitted with an all round yellow flashing light as prescribed by Rule 23 (b) of the International Collision Regulations, operated in accordance with the requirements of Thames Byelaw 31.

1.7 Crew Competency & Manning - Every vessel is to be navigated by two crew members for high speed watch keeping and emergency response purposes. Specifically, the steering position must be manned at all times by two crew. Where a crew member is required to vacate the steering position for any reason, then the vessel's speed must be reduced to a speed below 12 knots through, on or over the water while the steering position is manned by a single person.

a) In the case of a Commercial vessel, the Master must hold a MCA Boatmasters' Licence (BML) Tier 1, Level 2 or equivalent qualification, eg. Royal Yachting Association (RYA) Advanced Power Boat Certificate with a coastal endorsement, and in addition, where relevant, appropriately Endorsed.

b) In the case of a Recreational vessel, the Master must hold, as a minimum, a Royal Yachting Association (RYA) Advanced Power Boat Certificate or alternatively, a RYA Powerboat Instructor Certificate (both with a coastal endorsement) together with a PLA Thames Local Knowledge Endorsement.

c) The second crew member of either a Commercial or Recreational vessels should, as a minimum, be qualified as follows:

i) Hold a valid RYA Powerboat Level 2 Certificate or be deemed competent under the requirements of a High Speed Craft Code type rating training syllabus; and be

ii) Sufficiently familiar with the vessels machinery to understand its proper functioning and be able swiftly, to recognise and respond to a defect or malfunction; and

iii) Sufficiently competent to keep a proper lookout as required by Rule 5 of the International Regulations for the Prevention of Collisions at Sea, 1972, and to take over the conning of the vessel from the Master in an emergency.

d) In the case of training operations conducted by licensed RYA Training Centres, the requirement for a qualified second crew member (1.7 c) above) does not apply, provided that a trainee on board is sufficiently experienced and briefed to be capable of keeping a proper lookout, able to respond to a defect or malfunction or to take over from the Master in the event that the Master is incapacitated.

e) Small vessels – RIBs and Dory type craft, not carrying passengers - may, subject to the vessel operator/owner submitting a suitable risk assessment for single-person manning, operate with only one qualified crew member (the person in charge); but that person must hold a BML or equivalent with a Thames LKE or where required, a PLA LKE (commercial vessels); or a RYA Advanced Power Boat Certificate or RYA Powerboat Instructor Certificate, (both with a coastal & Commercial endorsements) together with a PLA Thames LKE.

Details of the option for single-manning will be included on the vessel's Certificate of Compliance.

1.8 Seating - Appropriate seating must be provided for all passengers and crew on the vessel. Sitting or riding on side tubes or on parts of the vessel not designated as approved seats, is not permitted. (Reference: MAIB Report: Celtic Pioneer – May 2009 & Marine Guidance Notice 436).

1.9 Passenger Safety - For any vessel carrying passengers in addition to the crew, the operator and vessel master are required to endorse and formally adopt, in day to day operations, the guidance contained in the following publications:

a) Passenger Safety on Small High Speed Craft – RYA March 2010; and the

b) Small Passenger Craft High Speed Experience Rides Guidance – Passenger Boat Association/MCA/RYA March 2010.

1.10 Emergency Engine Cut-off (Kill Cord) - All inflatable boats, boats fitted with a buoyant collar, and open boats that achieve planing speed, when fitted with remote throttle controls, must be fitted with a kill-cord, to be used at all times during navigation. In addition, a spare kill cord shall be provided on board in order to effect a recovery in the event that the Master is jettisoned overboard.

2. Annual Certificate of Compliance Inspection

In addition to the underpinning inspection regime under which the vessel is licensed, vessels holding a Certificate of Compliance will be subject to an annual PLA (Certificate of Compliance) inspection, which addresses the following broad criteria:

a) The overall condition and stability of the vessel (unless a valid MCA or PLA licence is provided);

b) The provision and operation of all on-board equipment, including navigational equipment;

c) Auditing of the safety management system manual, including manning requirements, risk assessment, training and effective passage planning;

d) Evidence of an appropriate vessel maintenance program; and

e) The management and procedures in place for passenger embarking, disembarking and containment.

3. For cause Certificate of Compliance Inspection

In addition to the underpinning annual inspection regime, where a vessel in receipt of a Certificate of Compliance issued in accordance with Thames Byelaw 16, has been involved in an incident in which the safety of navigation may have been compromised, or the Harbour Master has concerns regarding the navigational safety of the vessel, the Harbour Master reserves the right to undertake an inspection of the

vessel and all associated documentation required for the issue of a Certificate of Compliance, for any vessel or fleet of vessels operated by a single company. In the event that a 'For Cause' inspection is required, a special direction may be issued to the vessel, or fleet of vessels operated by that company, restricting their speed to 12 knots as per Thames Byelaw 16.3. The Special Direction will remain in effect until the Harbour Master is content that the conditions of the CoC have not been breached or, changes have been made to the operation of the vessel or fleet of vessels, to the satisfaction of the Harbour Master. In the event of continued non compliance with any of the core requirements detailed in 1 – 1.10 the Certificate of Compliance may be revoked.

Detailed inspection criteria relating to the above additional requirements are included at Annexes 1, 2 and 3.

Annexes – Overview (See separate documents for details)

1. Small Commercial Vessel Code (MGN280): Section 11

- Intact Stability All Vessels
  (11.1.1.11)
- Damage Survivability
  (11.2)
- Damage tests - Inflatable boats
  (11.5.2)
- Swamp test
  (11.5.3)
- Person recovery stability test
  (11.5.4)

2. International Safety Management Code: Chapter 5

- Safety management objectives and requirements
  (1.2.2.) (1.2.3.)
- Functional requirements for a Safety Management System
  (1.4.)
- The Company should ensure that the policy is implemented and maintained at all levels of the organization, both ship based as well as shore based.
  (2.2.)
- Company Responsibilities and Authority
  (3.)
- Designated Person(s)
  (4.)
- Resources and Personnel
  (6.)
- The Company should ensure that the ship's personnel are able to communicate effectively in the execution of their duties related to the Safety Management System.
  (6.7)

- The Company should establish procedures to identify describe and respond to potential emergency shipboard situations.

  (8.1)
- Reports and Analysis of Non-conformities, Accidents and Hazardous Occurrences.

  (9.)
- The Company should establish procedures in its SMS to identify equipment and technical systems the sudden operational failure of which may result in hazardous situations. The SMS should provide for specific measures aimed at promoting the reliability of such equipment or systems. These measures should include the regular testing of stand-by arrangements and equipment or technical systems that are not in continuous use.

  (10.2.) (10.3.)

3. High Speed Craft Code 2000: Chapter 18

- The Administration shall issue a Permit to Operate High-Speed Craft when it is satisfied that the operator has made adequate provisions from the point of view of safety generally, including the following matters specifically, and shall revoke the Permit to Operate if such provisions are not maintained to its satisfaction.

  (18.1.3)
- Craft operating manual

  (18.2.1.)
- Maintenance and servicing manual/system

  (18.2.4.)
- Information on passengers

  (18.2.5.)
- The Administration shall specify an appropriate period of operational training for the master and each member of the crew and, if necessary, the periods at which appropriate retraining shall be carried out.

  (18.3.2)
- The Administration shall issue a type rating certificate to the master and all officers having an operational role following an appropriate period of operational/simulate or training and on the conclusion of an examination including practical test commensurate with the operational tasks on board the particular type and model of craft concerned and the route followed.

  (18.3.3.)
- The Administration of the country in which the craft is to operate shall be satisfied with the training, experience and qualifications of the master and each crew member. A valid certificate of competency or a valid license appropriately endorsed.

  (18.3.8.)
- Manning of survival craft and supervision.

  (18.4.)
- Emergency instructions and drills.

  (18.5)
- On-board instruction and operation of the craft's evacuation, fire and damage control appliances and systems shall include appropriate cross-training of crew members.

  (18.5.5.)
- Damage control drills.

  (18.5.10.)

4. Recreational Vessel Safety Management System (Model Template)

1. Introduction
2. Purpose
3. Rules and Regulations for Navigation
4. Automatic Identification System (AIS)

5. Passage Planning	
6. Reporting Accidents or Incidents	
7. Vessel Maintenance	
8. Emergency Procedures	
9. Operational Policies -	Manning, Competency Requirements and Responsibilities
10.	Personal Protective Equipment (PPE)
11.	Environmental Considerations
12.	Bunkering
13.	Drugs & Alcohol