

# **Totnes Boating Association**

**Steamer Quay Road, Totnes, Devon, TQ9 5AL**

**[www.totnes-boating.co.uk](http://www.totnes-boating.co.uk)**



## **Rules & Bye Laws**

**Issued : 1st December 2021**

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## 1 Name

The Club will be called the Totnes Boating Association.

## 2 Objectives of the Club

2.1 To encourage boating, particularly on the River Dart and to render assistance to members and all other users of the river when necessary.

2.2 To negotiate with all responsible bodies on all matters of benefit and interest in connection with the river to their mutual advantage.

2.3 To promote and facilitate the sport of yachting and boating and also to provide such social and other facilities for members as maybe from time to time determined.

## 3 Unincorporated Club

The Club is a non-profit making organisation. All profit and surpluses will be used to maintain or improve the Club's facilities. No profit or surplus will be distributed other than to another non-profit making body or to members on winding up or dissolution of the Club.

## 4 Membership

4.1 Any person of 18 years or over and owning a boat or interested in boating generally may become a Member of the Association subject to the approval of the Executive Committee.

4.2 There will be the following categories of Full Membership giving the members the right to vote at all General Meetings of the Club as indicated hereunder. The rights and privileges of each member are defined in the latest edition of the Rule Book and Bye Laws of the Association.

4.3 **A Family/Single Full Membership** may be held by a group of one or two adults and their dependent children [if any] under 18 years of age. Each adult will have one vote. Children under 18 may only enter the Club premises if accompanied by an adult

4.4 **18-26 Full Membership** may be held by a person 18 to 26 inclusive. Members in this category will qualify for a reduced rate of subscription and will have the same rights as other categories of Full Membership. The normal enrolment fee payable by Full Members will apply.

4.5 **Senior Full Membership** will be for members aged 65 and over who have been Family/Single Full Members for a minimum of 3 complete subscription years. Such members will qualify for a reduced rate of subscription and will each have one vote.

4.6 **Honorary Membership** will be held by a person nominated and selected in the manner described in Rule 13.

4.7 **Life Membership.** The Executive Committee shall have the power to recommend for election at an AGM such long service members as have contributed outstanding service to the Association. The total of Life Members shall not exceed 5% of the total of Full Members. Life Members shall have the same rights as Full Members, but all not be required to pay any annual subscription.

4.8 **Entitlement to Moorings.** All categories of Full Membership included in Paragraphs 4.3 to 4.5 inclusive and 4.7 will entitle the members to apply for the use of an Association mooring, but does not guarantee that such mooring will be available or granted to the member.

4.9 **Social Membership.** Social Members will pay the same rate of annual subscription as Full Members. They may attend General Meetings but shall have no voting rights and are not eligible for membership of the Executive Committee but may be members of the Social Committee. They will have no rights to Club property. They may use the Club car park when attending social activities but have no entitlement to moorings, boat or tender storage.

**Note:** Social Membership was closed to new entrants on 1<sup>st</sup> December 2014.

4.10 **Retired Social Membership.** Retired Social Members shall not pay any annual subscriptions. They may attend General Meeting but shall have no voting rights and are not eligible for membership of the Executive Committee but may be members of the Social Committee. They will have no rights to Club property. They may use the Club car park when attending social activities but have no entitlement to moorings, boat or tender storage.

**Note:** The option to convert to Retired Social Membership was closed on 1<sup>st</sup> December 2014.

## 5 Admission of Members

Admission of members [except honorary members] will be by election by the Executive Committee. A candidate for election who receives the votes of the majority of the Executive Committee will be declared elected.

## 6 Proposal of Candidates for Membership

Every candidate for admission as a member will be proposed by one Full Member and seconded by an Executive Committee member ~~both of whom will vouch from their personal knowledge for the fitness of the candidate.~~ Applications are to be accompanied by the current enrolment fees and the appropriate annual subscription.

## 7 Posting of Candidates

~~Membership Application Forms will be posted in the Clubhouse for 90 days preceding the day when~~

~~the candidate is considered for election. During this period the applicants will be seen to use the Clubhouse and its facilities and sign the Proposed New Members' Book on at least two occasions per month over three consecutive calendar months.~~

## **8 Inaccuracies in Nomination of Members**

Any omission from or inaccuracy on the application for membership may at the Executive Committee's discretion invalidate the application and any election made in consequence of it.

## **9 Notice to Member Elected**

Immediately upon the election of a candidate *by the committee* written notice of his/her election will be given and he/she will become a member of the Association and be entitled to all the benefits and privileges of his/her category of membership and be bound by the Rules and Bye Laws.

## **10 Enrolment Fee and Annual Subscription**

The Executive Committee will decide the enrolment fee and annual subscription.

Members joining the Club in:-

- April to June will pay 100% of the annual subscription plus the enrolment fee,
- July to September will pay 75% of the annual subscription plus the enrolment fee,
- October to December will pay 50% of the annual subscription plus the enrolment fee,
- January to March will pay 25% of the annual subscription plus full enrolment fee.

## **11 Date when Subscriptions are Due**

All annual subscriptions will be payable on 1<sup>st</sup> March in each year without demand.

## **12 Subscriptions and Fees in Arrears**

**12.1 Full Membership Subscription in Arrears.** If any member will not pay his/her subscription by 1<sup>st</sup> May after it has become due his/her membership will be deemed to have elapsed and he/she will pay a further enrolment fee and resume membership at the Executive Committee's discretion.

**12.2 Other Fees, Subscriptions and Charges in Arrears.** If any fees, subscriptions or charge not covered by paragraph 12.1 shall not be paid by the published due date, the Club may, at the Executive Committee's discretion, levy a surcharge of up to 20% of the overdue amount.

## **13 Honorary Membership**

The Executive Committee may nominate for election at an AGM such Honorary Members as the Committee may think fit. The total number of Honorary Members shall not exceed 5% of the

total of Full Members. Members may send to the Secretary names suggested for invitation. Honorary Members shall have the same rights as Full Members, but shall not be required to pay any annual subscription. Honorary Members will be subject to annual review by the Executive Committee who will confirm to the AGM the continuance of the Honorary status of each Hon Member.

## **14 Supply of Alcohol**

14.1 Alcohol may be supplied to members and their guests for consumption on Association premises. Both members and their guests shall pay the appropriate charges as fixed by Executive Committee. Intoxicating liquor for consumption off the premises may be supplied only to members.

14.2 Persons who are not members of the Club or guests of members will be admitted to the premises only if they are member of another Club affiliated to the Royal Yachting Association or members of other Clubs that have reciprocal arrangements with the Totnes Boating Association.

14.3 Totnes Boating Association members may hire the Clubhouse for private functions e.g. wedding receptions and anniversaries, in accordance with the current conditions set out in the application form.

14.4 Any person wishing to purchase alcoholic drinks who, in the opinion of the Bar Manager or member of the Wines Sub Committee, appears to be aged 21 or less, may be requested to prove age by means of identification. Any person who is unable to prove that they are 18 or over will not be served alcoholic drinks.

14.5 The Club will only supply alcoholic drinks within its license under the Licensing Act 2003 and at times included in the relevant Premise Licensing Application. The Club will adhere to the Licensing Objectives specified in the Licensing Act 2003:-

- a] Prevention of Crime and Disorder,
- b] Public Safety,
- c] Prevention of Public Nuisance,
- d] Protection of Children from Harm.

Any member requiring details of the responsibilities within these objectives and associated legislation may obtain such details from the Wines Secretary.

14.6 No member or guest may seek to purchase alcoholic drinks for any person aged under 18. Any attempt to do so will be considered potential grounds for expulsion from membership.

## **15 Resignation of Members**

Any member may resign his/her membership by giving to the Secretary notice in writing to that effect. Every such notice will unless otherwise expressed be deemed to take effect as from 1<sup>st</sup> April next following its receipt.

## **16 Expulsion of Members**

The Executive Committee shall have power to expel any member who will offend against the Rules or Bye Laws of the Association or if the member's conduct will in the opinion of the Executive Committee render him/her unfit for membership of the Association. It will be the duty of the Secretary to inform the member in question of complaints made against him/her and to give him/her not less than seven days written notice to attend a meeting of the Executive Committee. At such a meeting the member will be allowed to bring a friend and to offer an explanation of his/her conduct either verbally or in writing. If following such explanation two thirds of the full membership of the Executive Committee vote for his/her expulsion the member will immediately cease to be a member of the Association.

## **17 Effect of Ceasing to be a Member**

Any person ceasing to be a member of the Association will forfeit all rights and claims upon the Association and its property and funds. Such members must immediately remove all their property [including boats, trailers etc.] from the Club's premises, storage facilities and moorings.

## **18 Complaints from Members**

Any member wishing to have a complaint considered by the Club must communicate this in writing to the Hon. Secretary who will ensure that it is raised at the next Executive Committee meeting.

## **19 Executive Committee and Election of Executive Committee Members**

19.1 **Executive Committee.** There shall be an Executive Committee comprised of twelve members being President, Commodore, Vice Commodore, Rear Commodore, Hon. Treasurer, Hon. Secretary, Chief Ships Husband, Wines Secretary, Publicity Secretary and Facilities Manager, plus two General Members without specific responsibilities.

19.2 The Flag Officers of the Association shall be the President, Commodore, Vice Commodore and Rear Commodore.

19.3 Executive Committee members shall be elected at the Annual General Meeting. All candidates shall require both a Proposer and Secunder who must both be Full Members.

19.4 The President shall be elected for a term of three years with an option for renewal for one year, and shall be a previous Commodore. The other Flag Officers [Commodore, Vice Commodore and Rear Commodore] shall be elected for a term of one year with the option of two consecutive renewals each of one year.

Other officers [i.e. Hon. Treasurer, Hon. Secretary, Chief Ships Husband, Wine Secretary, Publicity Secretary and Facilities Manager] and General Members shall be elected for a period of two years.

19.5 All candidates for election to the Executive Committee shall have been Full Members of the Association for a minimum of 6 months and must enter their names on the notice displayed in the clubhouse four weeks prior to the AGM.

19.6 In the case of two candidates for any position receiving an equal number of votes, the Chairman of the AGM shall have a second and casting vote.

19.7 The quorum for the Executive Committee shall be 75% of its members.

## **20 Vacancies on Executive Committee**

20.1 The Executive Committee shall have the power to co-opt members to fill any vacancy on the Executive Committee until the next AGM.

20.2 Any Executive Committee absenting himself/herself for three consecutive meetings shall cease to be a member of the Executive Committee unless the Executive Committee resolves otherwise.

## **21 Meetings of Executive Committee**

21.1 The Executive Committee shall meet at least 9 times in a year on a regular basis to examine accounts and arrange the affairs of the Association. Minutes shall be taken of all the proceedings of the Executive Committee and shall be published to the members of the Association.

21.2 Motions to add or amend a Bye Law or Bye Laws must be submitted at an Executive Committee meeting and shall not be voted upon before the next Executive Committee meeting in order to allow time for proper consideration.

## **22 Sub-Committees**

22.1 The Executive Committee may appoint such sub-committees as it may deem necessary and may delegate such of its powers as it may think fit upon such terms and conditions as shall be deemed expedient and/or required by the law. Such sub-committees shall consist of such members of the Executive Committee or of the Club as the Executive Committee may think fit.

Flag Officers of the Club shall be ex-officio members of all such sub-committees.

22.2 All Sub-Committees shall periodically report their proceedings to the Executive Committee and shall conduct their business in accordance with the directions of the Executive Committee.

22.3 **Social Committee.** There shall be a Social Committee comprised of a minimum of 5 members, 3 of whom shall be the Vice Commodore, Social Secretary and Social Treasurer, and two of whom shall be General Members. Meetings will be held when required to organise social events, and shall be chaired by the Vice Commodore.

Social Committee members may be either Full or Social members of the Club. Candidates for election as Social Committee members shall require a Proposer and Secunder who must be Full Members. Candidates must enter their name/s on the notice displayed in the clubhouse four weeks prior to the AGM, and shall be elected en-bloc. Candidates shall be elected for a term of one year. In addition to the official members of the Social Committee referred to above, all members are welcome to attend meetings of the Social Committee, to contribute to its deliberations and activities and to vote thereon as required.

## **23 Trustees of the Association**

23.1 The Trustees shall be elected by the Executive Committee and shall hold office for a term of four years. There shall be not more than four trustees of the Association and the property of the Association [other than cash which shall be under the control of the Treasurer] shall be vested in them. They shall deal with the property of the Association as directed by a Resolution of the Executive Committee [of which an entry in the minute book shall be conclusive evidence] and they shall be indemnified against risks and expense out of the Association property.

23.2 Any Trustee may resign his or her trusteeship at any time by giving notice in writing to the Secretary, and such resignation shall be effective immediately. In the event of a vacancy arising for a Trustee position before expiry of the four year term the Executive Committee shall elect a replacement Trustee to serve until the next election of all four Trustees.

23.3 For the purpose of giving effect to nominations under both paragraphs 23.1 and 23.2 above the President is nominated as the person to appoint new trustees of the Association within the meaning of the Trustees Act 1925 section 36 and he or she shall by deed appoint the person or persons so nominated by the Executive Committee as the new trustee or trustees of the Association

and provisions of the Trustees Act 1925 shall apply to any such appointment. Any statement of fact in any such Deed of Appointment shall in favour of a person dealing bone fide and for value with the Association or the Executive Committee be conclusive.

23.4 All Trustees will be sent copies of the minutes of all General Meetings and all meetings of the Executive Committee within one month of the meeting date. It is expected that all Trustees will take an active part in club activities and attend all General Meetings. Failure to do so will be reported by the Secretary to the Executive Committee.

23.5 If at any time the Club in a General Meeting shall pass a Resolution authorising the Executive Committee to borrow money, the Executive Committee will then be empowered by a Resolution of the Executive Committee to authorise the Trustees to borrow for the purpose of the Club such amount either at one time or from time to time and such rate of interest and in such form and manner upon such security as shall be specified in the Resolution of the Executive Committee and the Trustees shall at the direction of the Executive Committee make all such depositions of the Club property or any part of the Club property and enter such agreements in relation to that property as the Club whether voting on such resolution or not, and all persons becoming members of the Club after the passing of such Resolution, shall be deemed to have assented to the Resolution as if they had voted in favour of it.

## **24 Bye Laws**

The Executive Committee may from time to time make, repeal or amend all such Bye Laws [not inconsistent with the Rules] as it shall think expedient for the management and well-being of the Association. All Bye Laws made by the Executive Committee shall be binding on the members until repealed by the Executive Committee or set aside by a resolution of a General Meeting of the Association. All Bye Laws shall be published and displayed in the Clubhouse within 14 days.

## **25 Annual General Meeting**

25.1 The Annual General Meeting [AGM] of the Association shall be held for the following purposes:

25.2 To receive from the Executive Committee: Reports and a statement of accounts for the preceding financial year.

25.3 To elect Full Members to fill vacancies on the Executive Committee.



25.4 To vote upon any Resolution which may be submitted to the meeting in the manner provided below.

## **26 Notice of Business**

The Executive Committee shall:

- select a date in November for the AGM, as per Rule 25.1 and publish that date no less than 60 days before the AGM;
- call for members resolutions no less than 40 days before the AGM.

Any member wishing to propose any Resolution at the Annual General Meeting shall give notice in writing to the Secretary not later than 30 days before the published date of the AGM for inclusion in the agenda

## **27 Special General Meeting**

The Executive Committee may at any time for any special purpose call a Special General Meeting [SGM] and shall do so immediately upon the request in writing signed by any of 20 Full Members or one fifth of the total membership entitled to vote whichever is the lesser. Such written request must state the purpose for which the meeting is required.

## **28 Convening General Meetings**

At least fourteen days before the AGM or any SGM a notice of such meeting and of the business to be transacted shall be posted in the Clubhouse and a printed copy of the notice sent to every Full Member and no business other than that of which notice has been given shall be brought forward at such meeting.

## **29 Proceedings at General Meetings**

At all General Meetings of the Association the Commodore and in his or her absence an Executive Committee member selected by the Executive Committee shall take the chair. In the case of equality of votes on any election or Resolution the chair shall have a second and casting vote.

## **30 Quorum**

The quorum at all general meetings shall be a minimum of thirty Full Members or one fifth of the membership entitled to vote, whichever is the lesser.

## **31 Financial Year**

The financial year of the Association shall end on the 30<sup>th</sup> day of September each year to which date the accounts of the Club shall be drawn up.

## **32 Preparation of Accounts**

The accounts shall as soon as practicable after the end of the financial year be prepared by a professional qualified accountant who shall be

appointed by the Executive Committee and who shall not be a member of the Association.

## **33 Opening of Association Premises**

33.1 The Association premises shall be opened to members from time to time between such hours as the Executive Committee shall determine but the Executive Committee may close them for such times as it may deem necessary.

33.2 The Clubhouse shall be available for hire for private functions subject to the terms and conditions printed on the hiring application form. All private functions must be promoted by and the responsibility of a member, who shall be required to be present on the club premises for the duration of the event. The Executive Committee reserves the right to refuse to hire the club for events it considers unsuitable.

*33.3 The Clubhouse may be used for the purpose of corporate events, such as training and meetings, at which all visitors will be employees of, or under contract to, or individually invited to attend by, the hiring organisation. Events which the general public would attend are not allowed.*

## **34 Visitors**

Members shall be allowed to introduce visitors to Club premises subject to such Bye Laws as shall be made from time to time by the Executive Committee and every visitor shall be considered the guest of, be signed in by, and be accompanied by the member introducing him or her. No person may be introduced as a visitor to the Association who shall have been expelled from membership or whose conduct or presence on the Association premises shall be considered by the Executive Committee objectionable or prejudicial to the interests of the Association. No visitor may be invited into the premises more than six times per Association year. Members are responsible for ensuring that, on admission to Club premises, all visitors are required to enter their name and full address or house name/number and post code in the Visitors Book.

## **35 Members Not to Make a Profit out of the Association**

No member shall [except for professional services rendered at the request of the Executive Committee] on any pretence or in any manner receive any profit, salary or emoluments from the funds or transactions of the Association except where mandated by a majority of the Executive Committee on each occasion.

## **36 Private Benefit Not to Accrue on Purchase etc. of Liquor.**

No person shall at any time be entitled to receive at the expense of the Association or of any member of the Association any commission,

percentage or similar payment on or with reference to any purchases of goods or services [including but not limited to purchases of intoxicating liquor], nor shall any person directly or indirectly derive any pecuniary benefit from the supply of goods or services by or on behalf of the Association to members or guests or others so entitled apart from any benefit accruing to the Association as a whole and apart also from any benefit which a person derives indirectly by reason of the supply giving rise to or contributing to a general gain from the carrying on of the Association.

### **37 Association Not to be Used for Business**

No member shall give the address of the Association in any advertisement or use the Association address for business purposes.

### **38 Communication**

38.1 Every member of the Association shall when appropriate communicate to the Secretary his or her postal address and e-mail address [if any] or that of his banker or agent and all notices sent by first or second class post to such address or by e-mail shall be considered as having been given within 48 hours of the date of posting or e-mailing.

38.2 No member may contact a third party on any Club business or purporting in any way to represent the Club without the prior permission of the Executive Committee as evidenced by the minutes of the relevant Executive Committee meeting.

### **39 Interpretation of Rules**

The Executive Committee shall be the sole authority for the interpretation of these Rules and of the Bye Laws made from time to time by the Executive Committee. The decision of the Executive Committee upon any interpretation or upon any question or matter affecting the Association and not provided for by these Rules, or by the Bye Laws shall be final and binding on the members.

### **40 Amendment of Rules**

These Rules may be added to, repealed or amended by Resolution at any Annual or Special General Meeting provided that no such Resolution shall be deemed to have been passed unless it is carried by a majority of at least two thirds of the members voting on such Resolution.

### **41 Moorings and Boat Storage**

41.1 Applications for moorings and boat storage are to be made to the Treasurer on the relevant form and accompanied by the appropriate fee and copy marine insurance certificate.

41.2 Moorings shall be allocated on an annual basis for one year only by Ships Husband Sub-Committee and shall be approved by the Executive Committee. Continuity of allocation of the same

mooring to a member for more than one year is not guaranteed. However, once a specific mooring has been allocated to a member every effort will be made by Executive Committee to permit the member to retain the same mooring for as long as the member abides by the Club's Rules and Bye Laws and continues to own and place the same boat on the mooring. In the event that a member has to be allocated a different mooring in the best overall interests of the Club, the reasons shall be fully explained to him or her.

Moorings at TBA are of varying lengths and accessibility, therefore allocation of moorings will be based upon the overall length of each members boat. The Ships Husband team will apply discretion of this rule where a member is limited in their personal capability, for reasons of age, disability or pregnancy.

41.3 Members wishing to change boats must first consult the Chief Ship's Husband and, with his approval, re-apply for a mooring and pay an additional fee if the new boat is longer than the previous one.

41.4 Any loss or damage or damage caused by a boat owned by a member of the Association shall be the responsibility of the member concerned and no liability shall attach to the Association or its Officers. The Association will accept no liability for damage to boats or loss of property whilst on the Association's mooring or sites. All boat owners using the Association moorings and boat parks are required to insure their craft against third party liability for a minimum of £2 million or such other sum as the Executive Committee shall specify from time to time.

41.5 All members using the Association moorings and facilities shall abide by the Bye Laws drawn up from time to time and approved by the Executive Committee and the Ships Husband's Guide.

41.6 The allocation and control of moorings and boat storage will be the responsibility of the Ship's Husbands subject to the approval of the Ships Husband sub-committee and the Executive Committee.

41.7 The Chief Ships Husband shall publish a Ships Husband's Guide, which will be published to all members, containing guidance relating to club policies and requirements.

*41.8 Tender storage in the numbered racks on the clubhouse site will be allocated annually to members on payment of the current charge agreed by the Executive Committee. Members who have paid the charge for the previous year will be entitled to occupy the same numbered space subject to payment of a new fee. Vacant spaces will*

*be allocated to paid-up members by the Chief Ships Husband.*

*41.9 Tenders occupying numbered spaces for which no payment has been received by craning in day may be removed to the boat park and the space reallocated.*

## **42 Dissolution of the Club**

If at any General Meeting a Resolution of the Association shall be passed by a majority of the members present and at a Special General Meeting held not less than 6 weeks later [of which not less than 4 weeks written notice have been given to each member] and at which not less than half of the membership shall be present that Resolution shall be confirmed by a Resolution passed by a majority of two thirds of the members voting on such Resolution, the Executive Committee shall immediately or at such future dates as shall be specified in such Resolution proceed to realise the property of the Association and after the discharge of all liabilities shall divide such property among all the members [except social and honorary members] and on the completion of such division the Club shall be dissolved.

## **43 Headings**

The headings of these rules are for ease of reference only and shall not be taken into account in their interpretation.

## **44 Limitation of Club Liability**

Members of the Club, their guests or visitors may use the Club premises and any other facilities of the Club, entirely at their own risk and implicitly accept: -

[a] The Club will not accept any liability for any damage to or loss of property belonging to members, their guest or visitor to the Club.

[b] The Club will not accept any liability for personal injury arising out of the use of the Club premises and any other facilities of the Club either sustained by members, their guests or visitors or caused by the said members, guest or visitors whether or not such damage or injury could have been attributed to or was occasioned by neglect, default or negligence of any of them, the Officers, Executive Committee or servants of the Club.

## **45 Data Protection Act**

Membership of the Club and acceptance of these Rules by the member will be deemed to constitute consent to the holding of relevant personal data for the purpose of the Data Protection Act.

## **BYE LAWS (9 January 2019)**

Changes are shown as *new* or ~~deleted~~.

### **General**

Members should treat other members, visitors and property with respect.

Members should use their boats, the river, club moorings, slipways and boat park with consideration for other users and exercise good seamanship and common sense.

### **Moorings**

Members must adhere to any safety or other instruction given by the Chief Ship's Husband, or a member of the Ships Husband's team.

1. Boats moored on club moorings must be kept in a seaworthy, clean and tidy condition.
2. Members using club moorings must ensure that their boat's name is clearly displayed and that a current DHNA licence is visible.
3. Boats must be secured to moorings with two, independent, strong warps at both bow and stern. Members should regularly check mooring warps for signs of degradation and wear.
4. Boats secured on moorings must have their rudders secured in a central position to prevent boats from drifting into each other.
5. Outboard motor propellers are to be protected when raised by a bucket or similar, to prevent damage to other craft.
6. [Bylaw removed]
7. The club dinghy is provided for the convenience of club members for loading and unloading purposes. The club dinghy must be returned to the slipway asap and locked to the chain when not in use.
8. The Executive Committee recognise that seagulls can be a nuisance, however owners must ensure that any covers, netting or other deterrents do not endanger wildlife, create excessive noise or cause other problems to residents and members.
9. At the end of each summer season, members are responsible for the removal of any bridles or warps, tie-lines, buoys or fenders that they have placed on their mooring. Any tie-lines placed on the mooring by the club must be left in place.
10. Any member involved in or observing a collision of boats on or in the vicinity of the club moorings, or any problem with a club mooring, or any problem with any boat moored on a club mooring, shall report the incident or problem to a member of the Chief Ships Husband's team.
11. Moorings are allocated in accordance with TBA Rule 41. A Moorings Waiting List will be maintained by the Chief Ship's Husband and displayed on the club notice board, when no moorings are available.

### **Tenders**

12. Members who have paid the appropriate annual charge may store their tenders on the club site (maximum one per family) or in the boat park.
13. Storage on the club site is for inflatable tenders or RIBs only, rigid tenders and dinghies must be stored in the boat park - to be able to be stored, in the dinghy racks, tenders should have a beam of no more than 145cm in a depth, from the top of the sponson to the base of the keel, of no more than 55cm.
14. Priority in use of racks near to the slipway will be given to members who are disabled or have difficulty accessing other areas.
15. All tenders are to be clearly marked with the name of the owner's boat (e.g. T/T Seahawk) and a current DHNA Licence.
16. All tenders (and their surrounding storage area) are to be kept in a tidy condition.
17. Racks may be secured by chain & padlock both when occupied and empty.
18. To allow access for all members, tenders should not be left unattended on the slipway.

### **Boat Storage**

19. Members may store their boats and tenders in the boat park (subject to paying the appropriate fees and providing evidence of insurance) after obtaining the approval of the Chief Ship's Husband.
20. Boats must have the boat name clearly visible on the hull. Trailers must have the name of the owner clearly visible.

21. All boats/trailers secured by padlocks or any other security device must have a spare key for such devices lodged with the Ship's Husband or Facilities Manager. Removal of a trailer wheel is not acceptable as a means of security.
22. During maintenance, members must endeavour to keep their boats and surrounding area in a clean and tidy condition. All waste (e.g. paint and antifoul scrapings, discarded materials etc.) should be placed in the skips provided.
23. Members must remove scrap batteries and engine oil from the boat park themselves. For environmental reasons these items must not be put in the skips.
24. All pressure washing, sanding, grinding, spraying or similar activities must be completed in a way that does not inconvenience other members or risk damaging their property. No such work will be undertaken within four weeks of craning-in without the specific permission of the Chief Ship's Husband
25. If a member sells his or her boat to a non-member, the member remains responsible for all TBA fees arising prior to the boat being removed from TBA facilities.
26. The club wishes to discourage long-term storage of boats in the boat park. Accordingly members who wish to keep a boat in storage for longer than one year must obtain special permission from the Chief Ship's Husband and the Executive Committee.
27. Petrol and diesel must not be stored in the boat park other than in main inboard boat fuel tanks.
28. Members can connect to the club's electricity supply when working in the boat park. Electric cables must be disconnected and removed when boats are unattended.
29. Metal cutting and welding are only permitted in the boat park by prior arrangement with the Chief Ship's Husband.
30. Trailers without boats stored in the boat park will be charged winter storage charges, and will be charged for summer storage if the relevant boat is not on a club mooring.
31. The Club will adopt the RYA guidelines and procedures set out in Torts [Interference with goods] Act 1977 for the disposal of deemed abandoned boats, trailers and associated liens.
32. To maximise winter storage for as many boating members as possible, no applications to join the TBA after 7<sup>th</sup> November 2017 will be allowed winter storage utilising a trailer within the confines of the TBA Boat Park. Parking trailers in the summer may be permitted but only by the direct authorisation of the Chief Ships Husband or by a member of the Ships Husband Team.

### **Craning**

33. During craning days the boat park will be a "work site" with restricted access. Protective clothing will be required and members must adhere to safety and other instructions given by the Chief Ship's Husband or the Crane Supervisor.
34. In preparation for craning, owners must attach lines (at least 10m long) to the bow and stern of their boats.
35. Owners (or their nominated agent) are required to be present during the lift of their boat.
36. Owners are responsible for ensuring that mooring warps are secured (as per 6 above). Any temporary warps or lines used on craning days should be replaced immediately.
37. Any special requests (e.g. mast removal, timings etc.) should be discussed and agreed with the Chief Ship's Husband prior to the craning days.

### **Crane and Winch**

38. The crane on the club site may only be used with the prior permission of the Chief Ship's Husband, who will provide instruction to the member concerned prior to use of the crane.
39. A winch is located on the slipway. Members can use the winch to raise tenders and small dinghies.

### **Car Parking**

40. Members are welcome to park in the boat park during the summer season (i.e. when the boats are in the water). Parking space during the winter season is limited.
41. Member's guests can also park in the club's boat park when visiting the club with the member.
42. Drivers should endeavour to park considerately and to avoid blocking access to boats or dinghies.
43. Whilst TBA members have priority, other users of the clubhouse (e.g. Hirers) are welcome to park in the boat park during quiet times. Parking during weekends is normally restricted to TBA members.
44. Parking on the clubhouse site is prohibited unless approved by the Executive Committee.

### **Visitors**

45. Visitors (including member's guests, prospective members and visiting yachters) are welcome to attend club meetings and events. A visitor's signing book is provided.

**Dogs**

46. Members are responsible for keeping their dogs under adequate control whilst on club premises and for ensuring that they do not cause annoyance to other members.

**Hire of Club Premises**

47. Members are welcome to hire the clubhouse for close family events and celebrations (other than 18 and 21 birthday parties). In all cases the member will be present throughout and responsible for the event and security of the clubhouse.
48. The Executive Committee will consider use of the clubhouse by charities and bona fide local groups.
49. Business use or other “for profit” activities are prohibited. Hire of the clubhouse is subject to the conditions and charges specified on the Booking Form.

**Environmental Policy**

50. The club’s Environmental Policy must be adhered to.

**Health and Safety Policy**

51. The club’s Health and Safety Policy must be adhered to.

**Security**

52. Members are asked to help with security by ensuring that the gates of the boat park, slipway and club site are locked whenever they leave. This applies even if there are other cars parked in the boat park.
53. Card keys issued to members must be kept secure at all times. Loss of a card key should be reported to the Treasurer immediately.

-end-

# Change History

The following changes were implemented in the issue of 1 January 2020, following approval by the AGM in November 2019.

## **Election of new members**

The following existing rules are not followed. Current practice is to allow anyone to apply by completing the application form on the website. When they have signed in six times, the membership secretary reports to the committee and the members is duly elected.

The changes bring the rules into line with current practice and make it easier for members who live away from Totnes.

## **Corporate use of the Clubhouse**

The clubhouse is an underused asset that could be put to work to earn the club money that can be used to subsidise the other activities of the club, to the benefit of its members.

Currently, the clubhouse can be used only by members and their guests.

A new rule (33.3) makes this possible.

We are seeking to prohibit events to which the general public are invited, and enable events at which company employees and their paid advisers and trainers and trainees (in the case of training events) are invited.

The charities and other hiring organisations that currently have a member join the club with the sole purpose of hiring it, will be moved to that arrangement, with hiring fees set by the committee as appropriate to their status (charity, not-for-profit, etc). This will regularise the anomaly of members-in-name-only.

The committee may employ a caretaker on an hourly rate to open the clubhouse, provide refreshments, clear up and lock up. The bar will be closed to such events and alcohol will be prohibited. Clients will be vetted by the Bookings Manager. Commercial rates will be charged. The committee will decide on investment in necessary equipment such as overhead projector and projector screen. The committee may enact bylaws to enable this to happen.

## **Storage of Tenders**

The storage of tenders is haphazard. Some are unlabelled, some belong to members long gone, etc.

We are seeking to ensure that members who pay for storage of tenders get a space and tenders that are not paid for are removed.

New rules (41.8 and 41.9) make this possible.

Amendments made by Stephen Summers, Secretary. 1 Jan 2020

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The following changes were implemented in the issue on 9 January 2019, following approval by AGM in November 2018.

## **Timing of AGM.**

The rules governing the AGM are not sufficiently clear. For example, the date of the AGM is given as “in November”, whereas members wishing to propose a resolution must do so “no later than 14<sup>th</sup> day of October” and there is no requirement for the committee to remind members of this rather arbitrary date. The rules about the AGM are made clearer and more prescriptive.

## **Honorary Members**

The old rule on Honorary Members means that members that elected to honorary status for life (or as long as the member wishes to remain in the club), or the committee withdraws it.

The Committee feels that Honorary status should be renewed annually rather than carried over by default and wishes to change the rules so that Hon Members are subject to annual review.

This would enable the Committee to keep as members (and therefore within the protection of our insurance policies and Rules) those members who perform valuable services to the club, but would otherwise be unavailable to us.

Note that Life Members are elected for life, in recognition for long and distinguished service to the club, and pay no membership fees.

#### The club's policy on mooring allocation

The rules on the allocation of moorings were not sufficiently clear, which has caused some members to be unhappy with the decision of the moorings officer. This issue is exacerbated when moorings are in short supply. All allocations are made for perfectly good technical reasons, but they can sometimes be obscure. For instance, note that moorings are now of varying lengths, whereas they were previously all the same length, and the balance of masted yachts vs power boats can change from year to year.

So the Chief Ships Husband and the committee sought to improve the clarity and the visibility of the rules and the policy that they enact.

We comply with the Equality Act 2010 by recognising some members may have special need (Rule 41.2).

As with all actions of all committee members, club members can raise objections or make complaints by following Rule 18.

Amendments made by Gordon Hindle, Secretary. 1st December 2021

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