

**SHOTWICK LAKE SAILING BYELAWS**  
**REV H Feb 2018**

## **1. INTRODUCTION**

These byelaws are made by the Board of Directors of Shotwick Lake Sailing under Rule 20 of the Articles of Association for the proper conduct and management of the Charity. These byelaws shall be binding on all members of the charity and all visitors.

## **2. SUBSCRIPTIONS**

There shall be an annual subscription and additional fees for all members. The level of annual subscriptions and additional fees shall be set by the Board of Directors and advised to the membership at the Annual General Meeting.

These subscriptions will fall due on 1st March; if payment is not received by 1<sup>st</sup> May their membership will be terminated in accordance with rule 4.3 of the Articles of Association.

## **3. RACING CLASS COMMITTEES**

Racing Classes officially adopted by the Board of Directors may elect a Captain and may organise their own class committees, but must keep the Board of Directors informed of their activities and not take any action which would be prejudicial to the charity, or commit the charity to any unauthorized expenditure.

## **4. CO-ORDINATION OF EVENTS**

No, permit group, racing class or group of members shall arrange an event without obtaining prior approval of the Board of Directors. This is to ensure that clashes do not occur and the overall programme for the use of the facilities is co-ordinated.

## **5. DAMAGE TO PROPERTY**

In the event of any damage to, or loss of, charity property caused by a member or his or her visitors in circumstances precluding a successful insurance claim, the member shall, at the discretion of the Board of Directors, remedy such damage or loss at his or her own expense to the satisfaction of the Board of Directors.

## **6. VISITORS**

(a) Visitors may be introduced by members, who shall enter the visitor's name and address in the Visitors' Book.

- (i) No participating visitors may sail, windsurf or canoe more than six times in any twelve-month period at Shotwick Lake.
- (ii) The participating visitor may only utilise an existing member's craft or club craft and must comply with these byelaws in full. The introducing member shall be responsible for ensuring the visitor(s) are aware of these byelaws and shall be fully responsible for the visitor's actions while using the facilities as though the actions were carried out by the member themselves.
- (iii) No member shall introduce more than two participating visitors at any one time without prior approval of the Board of Directors.
- (iv) Spectator visitors may be invited by a member to the clubhouse, or to view the sailing. The introducing member shall be responsible for ensuring the spectator visitor(s) are aware of these byelaws, the presence of deep water and shall be fully responsible for the visitor's actions while using the facilities as though the actions were carried out by the member themselves. Note that a person under 18 years of age must be supervised by an adult (a person over 18 years of age) at all times.
- (c) Visiting competitors in official or invitation events shall be considered as privileged visitors and these official and invitation events shall not count towards the 'six times' noted above. Visiting competitors shall be briefed / advised regarding the pertinent aspects of these byelaws at the briefing session and the byelaws shall be brought to their attention when 'signing on'

## **7. CRAFT INSURANCE**

All craft using the lake must be insured for a minimum of £2,000,000 against third party risks and claims. Craft owners shall ensure adequate third party cover by consulting their insurance provider.

## **8. RISK STATEMENT**

Sailing is by its very nature an unpredictable sport and therefore inherently involves an element of risk. By taking part in sailing each sailor agrees and acknowledges that:

1. They are aware of the inherent element of risk involved in the sport and accept responsibility for the exposure of themselves, their crew and their boat / craft to such inherent risk while taking part.

2. They are responsible for the safety of themselves, their crew, shore based assistants, friends or visitors they have brought to the club, their boat / craft and their other property whether afloat or ashore.
3. They accept responsibility for any injury, damage or loss to the extent caused by their own actions or omissions.
4. Before inviting any guests or visitors onto the premises or to participate in events organised by the club, members will draw their attention to this rule.
5. Their boat, windsurfer, canoe, buoyancy aid, and clothing is in good order and craft are suitably equipped and they are fit to participate..
6. Nothing done by the organisers of any event (i.e. the club, race management team, patrol craft and anyone helping run an event) will relieve participants of their responsibilities.
7. By launching every member, visitor, guest, owner and competitor implies the suitability of their boat, windsurfer or canoe and the competence of the skipper and crew for the expected or forecast conditions.
8. The provision of patrol craft does not relieve participants of their responsibilities. Although reasonable efforts will be made to provide patrol boat cover at organised events participants are reminded that, particularly in extreme weather conditions, cover should not be relied upon and in any event they can only be given such assistance as can be practically provided in the circumstances.. This is particularly relevant in winter / spring where the risk of hypothermia is at its highest.

## **9. DISPUTES**

Any matter of dispute, not provided for by these rules, shall be referred to the Board of Directors for decision.

## **10. MARKING OF CRAFT AND EQUIPMENT**

All boats, canoes and windsurfing boards shall be marked with a current membership sticker. Trailers and launching trolleys not carrying an identified craft shall be marked in an obvious manner with the owner's membership number or permit group details. Any equipment (boats, canoes, windsurfing / paddle boards trailers / trolleys etc.) not suitably marked will be considered as abandoned equipment and since there are no details of the owner they will be dealt with as in paragraph 11.

## **11. ABANDONED CRAFT AND EQUIPMENT**

Once a member lapses in membership of the club and abandons his/her equipment., the former member shall be due to pay a parking fee fixed by the Board of Directors.

This shall also apply to visitors.

If at any time any parking fees payable to Shotwick Lake Sailing by any member or former member shall be three months or more in arrears: -

(a) The Board of Directors shall be entitled to move the boat to any other part of its premises without being liable for any loss of or damage to the boat howsoever caused.

(b) The Board of Directors shall be entitled, upon giving one month's notice in writing to the member or former member, at his last known address shown in the register of members, to sell the boat/equipment and to deduct any monies due to the club (whether by means of arrears of subscriptions or parking fees or otherwise) from the proceeds of sale before accounting for the balance (if any) to the member or non-member. In cases where the craft or equipment owner cannot be identified a notice shall be placed on the craft or equipment for one month prior to sale or disposal of the equipment with any proceeds treated as a charitable donation to the charity.

Alternatively any boat, which in the opinion of the Board of Directors cannot be sold, may, upon such notice as aforesaid, be broken up and the expenses recovered from the member or former member.

Further, the Charity shall at all times, have a lien over the boat in respect of all monies due to the club whether in respect of arrears of parking fees or subscriptions or otherwise.

## **12. WATER AND SHOREBASED SAFETY**

### **12.1 Hazards & Risks**

The Board of Directors has considered the hazards associated with the sailing club site and developed a risk assessment; a copy is displayed in the club house. A simplified Safety Briefing is also issued to members.. All members and visitors need to be aware of the hazards and risks associated with these hazards and assist the Board of Directors in ensuring that procedures and mitigating measures are implemented. If any person becomes aware of any hazard they should remove it if possible or place warning notices / barrier in place to protect others and advise a member of the Board of Directors as soon as possible.

### **12.2 Buoyancy Aids.**

When afloat, **all personnel**, except Windsurf Members, shall wear approved personal buoyancy by way of lifejackets or buoyancy aids, to the European specification carrying the "CE" mark and at a level of buoyancy suitable for the wearer. Wet suits are not considered adequate. **Windsurf Members** are

recommended to wear personal buoyancy as above but in any case shall comply with the requirements laid down by the RYA Policy Statement on Buoyancy.

### **12.3 Boat Buoyancy**

Boat buoyancy must be adequate and in good condition.

### **12.4 Second Craft**

No craft of any kind shall sail alone on the lake without another manned craft afloat or available for immediate launch.

### **12.5 Young Persons**

No person under the age of 18 years shall use the facilities of Shotwick Lake Sailing without being under the supervision of a responsible adult over 18 years of age. This shall apply equally to shore based individuals due to the presence of deep water adjacent.

Parents & guardians are warned that the club is only able to provide rescue facilities at organized club events. Outside these hours parents & guardians have sole responsibility for their children and wards and must appreciate that the club cannot be expected to exercise supervision or control. Even during a club organized event the club cannot accept responsibility for children, or any other persons not engaged in the specific organized club event.

### **12.6 Prohibition of Use**

In the event of conditions being considered unsuitable for sailing or watersports, the race officer or any member of Board of Directors of Shotwick Lake Sailing may prohibit the use of the water.

### **12.7 Rendering Assistance**

Any boat/craft seeing another in distress shall go to its assistance.

### **12.8 Swimming Prohibited**

Swimming is prohibited except in cases of emergency.

### **12.9 Operational Safety Boat**

Organized racing/sailing events shall only proceed when an operational safety boat is available.

## **13.DEALING WITH INCIDENTS**

Members must make themselves and any visitors aware of the procedures for dealing with incidents displayed on the internal and external notice boards.

#### **14. WATERFRONT / SLIPWAY / BOAT LAUNCHING AREA / BOAT PARK / CHANGING AREAS:**

It is essential that this area is kept tidy and all members to be aware of the potential dangers of this operational area, typically, the boats used by members and visitors, safety craft on trailers, boats used by other users and the terrain all pose risks.

Club property shall not be removed from the lake area except with the permission of the Board of Directors.

Private property shall not be used without the consent of the owner.

All craft must be removed from the lake water after use. Craft stored in the lake compound must be left in designated areas and be stored entirely at the owners risk. When not in use, craft must be securely tied down. Housekeeping & grass cutting in allocated berths shall be the responsibility of the craft owner. If berths are not maintained by the craft owner the Board of Directors reserve the right to allocate a different berth.

Private property shall not be left in the clubhouse or changing rooms overnight.

Motor vehicles must not be used on slipways except by prior permission of the Board of Directors.

#### **15. DOGS**

Dogs must be kept under proper control at all times, under the direct supervision of their owner and shall not cause a nuisance to other lake users. Any dog waste shall be suitably bagged and taken home for disposal and not left at the sailing club site.

#### **16. SMOKING AND ELECTRONIC CIGARETTES**

No person shall smoke or use electronic cigarettes within any building on site or within 20 metres of any building. No person shall smoke or use electronic cigarettes on or within 20 metres of any safety boat due to the presence of petroleum spirit.

## **17. POWERBOAT USE:**

All powerboats must be driven by helms holding a minimum of RYA Powerboat Level 2 except when powerboats are driven by supervised trainees on powerboat courses. All powerboats must be used with kill cords, which are attached to the driver and kill switch.

The Launch and recovery of the club's safety boat shall be in accordance with the defined procedure displayed in the safety boat garage..

Only authorised powerboats shall be used on the Lake.

Engines should only be run at full throttle in emergencies. In normal operation, full throttle use is very wasteful of fuel.

Care must be taken to limit damage and disturbance by wash.

## **18. CHILD PROTECTION.**

A detailed policy related to Child Protection is included within the Charity's Training Centre Operating and Safety Manual, which is part of the RYA, recognised training centre accreditation.

Everyone should maintain vigilance to reduce potential situations for abuse of children and help to protect members from false allegations being made by promoting good practice. Some common sense guidelines for persons not related to the child in question are:

Avoid spending time alone with children away from others

Do not take children alone in a car on journeys, however short

Do not take children to your home

Where any of these are unavoidable, ensure they only occur with the full knowledge and consent of someone in charge in the organisation or the child's parents.

## **19 CONDUCT OF MEMBERS & VISITORS**

The sport of sailing and associated water sports welcomes all participants and spectators and it relies largely on self-compliance and self-policing. Those that deliberately take an unfair advantage of this or behave in an inappropriate manner either on or off the water can expect action to be taken against them under the rules of sailing and / or by the Board of Directors.

Members of the Sailing Club need also to be aware that they act as ambassadors for the club when at open events organised by other clubs and their behaviour reflects upon Shotwick Lake Sailing. Where the Board of Directors receives a substantiated report of an incident that has brought the Club into disrepute the Member can also expect action to be taken by the Board of Directors.

Any participant or spectator acting in a way considered to be inappropriate by any member of the Board of Directors may be asked to leave the sailing club immediately.

The Board of Directors shall decide on the extent and type of the action to be undertaken and their decision shall be final.