



Club Berth Licence Ballot 2017-2018

The Royal Southern Yacht Club is offering Annual berthing licences for Yachts, Dry Berths and RIBs for 2017 – 2018. The term of the licences are:-

- Yachts 1st April 2017 to 31st March 2018
- RIBs 1st April 2017 to 31st March 2018
- Dry Berths 1st March 2017 to 28th February 2018

The eligibility to enter this ballot and the conditions of the licence are given below.

Applications to enter the ballot must be made on the Application Form at the end of this document and must be received by *The Sailing Office, Royal Southern Yacht Club, Rope Walk, Hamble, Southampton, SO31 4HB*, sailing@royal-southern.co.uk **no later than 1200 hrs on 2nd November 2016.**

The ballot will take place on Thursday 3rd November 2016 at 1900.

1 ELIGIBILITY FOR ENTRY IN THE ANNUAL BERTH BALLOT

- 1.1 Each vessel must be fully owned by a Full Member (which shall include a Family Member) of the Club. Jointly owned vessels are eligible if, and only if, all part owners are Full Members of the Club.
- 1.2 All owners must be resident in the British Isles, and must have been Full Members of the Club for at least Six Months at the time of the Ballot.
- 1.3 At the time of the Ballot, the vessel must be entirely in the possession of the Member(s). Vessels that have not been completely built or the purchase of which has not been completed are not eligible to enter this ballot.
- 1.4 Each Vessel is eligible for one ballot only (i.e. a jointly owned Vessel is entitled to one ballot only).
- 1.5 Each Member or Family Membership is eligible for only one ballot of each type.
- 1.6 A berth ballot application from an owner(s) with overdue debt(s) on that owner's club account may not be allowed.
- 1.7 Club berths are provided as a facility to Members who make regular use of their vessels in Club events or who have offered their boats for club duties during the 2016 season. Preferences will be given as follows:
 - 1.7.1 **Yachts** - The first 30 yachts to be drawn in the ballot shall be yachts which have entered and participated in any three Club Events during the 2016 season or which have been used as a Committee Vessel on any single occasion during the season.
 - 1.7.2 **RIBs** - The first 8 Vessels to be drawn in the Ballot shall be taken from a list of those members whose boats have assisted in any event in the Club Calendar during the 2016 season - or entered and taken part in any one event in the Club Calendar in 2016. All successful berth holders are expected to assist with mark laying on at least one occasion during the 2016 season.

1.7.3 **Dry Berths** – The first 10 yachts to be drawn in the Ballot shall be taken from a list of those Members whose yachts have entered and participated in any three events in the Club Calendar during the 2016 season.

1.8 The ensuing places in the ballot shall be drawn from all applicants. Places shall be allocated in the order in which boats are drawn in the ballot where possible. However, length, draft and width will be taken into account and it is possible that a boat may not be allocated a place even when a boat drawn later in the ballot is offered a place.

1.9 Berths are available for:-

1.9.1 **Monohull Yachts (Sail and Motor)** in the Prince Philip Yacht Haven and on the East Pontoon. The length of the yacht to include dinghies, davits, bow anchors and any other overhanging item. The Club reserves the right to impose a limit on the maximum length allowed. Where appropriate, berths in the Prince Phillip Yacht Haven will be filled before berths on Eastern side of the river. Multihull yachts may not enter the ballot but it may be possible to berth such yachts on the East Pontoon if space is available. Yachts which want to apply for a place on the East Pontoon but not in the Prince Philip Yacht Haven should indicate this on their application form.

1.9.2 **RIBs** in the Prince Philip Yacht Haven. RIBs that have not previously had annual RIB berths in the Prince Philip Yacht Haven may not be more than 7.0 metres overall length or 2.7 metres width to include any overhanging item but excluding engines.

1.9.3 **Dry Berths** for Sportsboats and Dayboats only. The maximum length is 9.0 metres, which may not be exceeded.

The Club reserves the right to measure any vessel in the ballot

1.10 For **RIB and Dry Berth holders**, the licence fee includes unlimited lifts using the crane and approved strops, which must be booked in advance with the Bosun or Sailing Office. The weight limit for the Club crane is 3 tonnes. Berth holders using the crane must attend a training / refresher session before using the crane.

1.11 Each ballot entry is to be accompanied by a deposit paid by cheque or debit card. The deposits are:-

1.11.1 **Yachts** £500

1.11.2 **RIBs** £100

1.11.3 **Dry Berths** £100

This deposit is returned if, and only if, the entry is not allocated a berth in the ballot except that a Yacht allocated a berth on the East Pontoon shall have the deposit returned if the offer is declined within one week of the ballot.

1.12 Licence fees for the 2017-2018 berthing year are:-

1.12.1 **Yachts**

Prince Philip Yacht Haven:

Length up to 13.1 metres	£457 / metre
Length > 13.1 metres <= 14 metres	£525 / metre
Length > 14.0 metres <= 15 metres	£578 / metre
Length > 15.0 metres <= 16 metres	£635 / metre

East Pontoon:

All lengths	£230 / metre
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1.12.2 **RIBs** are charged by square meter (length (excluding engine) x beam) at £126 / square metre

1.12.3 **Dry Berths** £347 / metre.

1.13 The Sailing Committee's decision in all matters relating to the ballot and the allocation of berths shall be final.

2 TERMS AND CONDITIONS OF ACCEPTANCE OF AN ANNUAL CLUB BERTH LICENCE

- 2.1 The deposit as shown must be paid by BACS or Credit/Debit card before the date of the Ballot. Applications where the deposit has not been received will not be entered to the ballot. 25% of the full fee, as shown on the Acceptance form, is payable by 30th November 2016, any deposit paid is counted as part of this 25%. If this amount is not paid on time the berth allocated will be offered to the next Member on the list. Any deposit will not be refunded.
- 2.2 The full fee, as shown on the Acceptance Form, is due by 28th February 2017.
- 2.3 Fees are to be paid by cheque, direct debit, bank transfer or debit card.
- 2.4 If the full fee is not received by 28th February 2017 the allocated berth will be forfeited. Unless notice is received in writing by 1st January 2017 that the allocated berth will not be taken up the Member is liable to pay the full fee.
- 2.5 The licence granted to a successful Member in the ballot is personal to that Member and cannot be transferred or disposed of in any way to anyone else. The licence does not grant exclusive possession of a berth and no landlord and tenant relationship is implied. The Club reserves the right to change the location of a berth at any time should the need arise. Those Members who are affected by any such re-allocation will, where practicable, be advised in advance in writing.
- 2.6 A Club berth is allocated for the use of a Full Club Member only and no-one else may occupy it unless allocated by the Club. The Club reserves the right to measure any vessel using a Club berth.
- 2.7 Members are expected to notify the Club Sailing Office or Bosun when vacating a berth for any period in excess of 7 days. The Club reserves the right to re-use a berth that is vacated.
- 2.8 A valid Certificate of Insurance for the vessel must be maintained at all times whilst it occupies of a Club berth and berth holders shall provide confirmation of insurance in the sum of at least £3,000,000.
- 2.9 'For Sale' signs are not permitted and the Club reserves the right to require that commercial advertising is removed.
- 2.10 Commercial activities, including but not limited to operating charters, are not permitted from the Club's premises.
- 2.11 If a Member acquires a new vessel of the same size or smaller the new vessel may remain in the allocated berth without further payment to the Club. The Member must notify the Club of the details of the new vessel. No refund will be made if the new vessel is smaller.
- 2.12 If a Member acquires a new vessel which is larger than the vessel for which this licence has been granted the Club will allocate a berth if such is available and the licence will continue in respect of the new vessel subject to the Member paying any excess fee required based on the size of the new vessel at the fee being charged for that size of vessel current at the time of the change. If it is not possible to allocate a suitable new berth then this licence will be determined and no refund will be payable.
- 2.13 If a Member sells the vessel to another Member the vessel may remain in situ without further payment to the Club, but subject to the buyer giving written notice to the Club that he or she accepts these conditions under which the licence for the vessel has been granted.
- 2.14 If a Member sells his vessel to a non-member the vessel must be removed from the club within 7 days of the transfer of ownership.

- 2.15 Members must comply with the Waterside Rules of the Royal Southern Yacht Club and regulations laid down by the Club from time to time for the use of club facilities.
- 2.16 Where notice in writing is required in these conditions it may be given by email but not by any other electronic means.
- 2.17 Apart from any loss or injury which results from the negligence or deliberate act of the Club or that of its staff, agents and contractors for whom it may be responsible, every person entering the Club's premises including the Prince Philip Vessel Haven and the moorings area on the eastern side of the River Hamble for any purpose does so entirely and his own risk. In no circumstances (save for death or personal injury caused by the Club's negligence) shall the Club be liable in contract, tort or otherwise whatever the cause thereof, for any special, indirect or consequential loss of any nature whatsoever suffered or incurred by any person.