



RULES & BY-LAWS

2005

RULES AND BY-LAWS

REVISION RECORD

Date	Key changes	Prepared by	approved
1996	Consolidation of all previous documentation regarding The Club Rules and By-laws, brought up to date using the latest RYA guide lines.	M Baker	AGM 1996
2005	<p>Amended to include the licensing objectives as required under the Licensing Act 2003 as part of the application for conversion to a club premises certificate. This amendment includes general text changes/additions plus the introduction of Appendix 3 'The AQSC Operating Schedule'. Amendment approved by the AQSC Management Committee June 2005.</p> <p>Changes made to Para 2.11 introducing new annual subscription and dinghy berthing payment timescales.</p> <p>Para 5 Trustees has been deleted and the following paragraphs renumbered.</p> <p>Para 8.6 rewritten to encompass all club berthing rules.</p> <p>Various amendments made to pages throughout the document and identified by change bars to correct ambiguities found in the club Rules and By-laws since its last formal update in 1996.</p>	M Baker	AGM 2005

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This Handbook sets down the Rules and By-laws of the Aquarius Sailing Club, together with the supporting documents that are referenced in the Rules and By-laws.

Rules, which deal with the corporate governance of the Club in general, are defined in Sections 1-6.

By-laws define procedures and regulations for the safe and efficient conduct of the Club's activities and are set down in sections 7 and 8.

Supporting documents are contained in Appendices 1-3; They are included for completeness but are not formally part of the Rules and Bylaws

Other Club documents relevant to the governance of the Club are:-

Health and Safety Plan

Risk Assessment Plan

Sail Training Plan

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RULES

Section 1 - Name and Object

- 1.1 The name of The Club shall be the “Aquarius Sailing Club” (hereinafter referred to in these rules as The Club). **The Club shall be a bona fide private members club, governed by an elected Management Committee.**
- 1.2 The object for which The Club is formed is to promote and facilitate the sport of sailing and to provide social facilities for Thames Water employees and **other** members as shall be determined from time to time.
- 1.3 The badge of The Club shall be The Club burgee within a gold wreath.

Section 2 - Membership

- 2.1 **Categories of Membership** - There shall be the following categories of membership with power to vote at meetings of The Club as indicated. The rights and privileges of each category of members are as defined in Section 8 – General By-laws.
- a. **Full Members** – Being such persons who are over the age of eighteen and shall have one vote. Full members who are employed by Thames Water Utilities (TWU) will enjoy concessionary rates of subscription.
 - b. **Family Members** – **Being persons of one family** (e.g. Husband, Wife and all children under the age of eighteen or students, notionally 18-21, who are not earning). The family unit shall have one vote, exercisable by either parent.
 - c. **Junior Members** – Being a person who **are** under the age of eighteen and shall have no vote.
 - d. **Social Members** – Being persons who shall have been Full Members of The Club and have no vote.
 - e. **Honorary Life Members** – Being persons who shall be nominated and elected in the manner described at Para 4.5 and shall have no vote.
 - f. **Guests** – are not members. They are admitted at the discretion of the Management Committee and shall have no vote.
- 2.2 Candidates for membership have no rights whatsoever in relation to the use of The Club facilities until forty eight hours have elapsed from the date of posting of notice of election. This can however be waived at the discretion of the Management Committee with specific regard to sailing.
- 2.3 **Membership Entrance and Subscription Fees** - The rate of entrance and subscription fee for each category of membership, berth fees and charges for any other services provided by The Club and the date from which the new or varied rates of subscription are to be payable, shall be proposed by the Committee to the members at the Annual General Meeting (AGM) in each year. Any proposed changes shall be approved by a majority of those present and entitled to vote, provided that there is a quorum, and shall become operative on the first day of May in the year following. The current rates of entrance and subscription will be found on The Club membership application forms, available within the clubhouse.
- 2.4 **Members wishing to keep a boat on The Club’s premises shall also make an annual** payment of such a sum as The Committee shall from time to time prescribe.
- 2.5 New or varied rates may take effect from any date subsequent to the meeting at which they were adopted but may not be applied retrospectively. In the event of an increase in rates being made effectively part way through the subscription year, existing members who are fully paid up on the effective date shall not be required to pay the increased rate until the next subscription year.
- 2.6 The date from which new or varied rates of subscription are to be payable shall be decided by a General club meeting
- 2.7 All members shall pay the entrance fee and their first annual subscription upon election to The Club and thereafter by the first day of May in each year. Provided that a member elected after the first day of August in any year shall pay the entrance fee and half the annual subscription applicable for that year and that a member elected after the first day of October in any year shall not be required to pay any subscription in respect of the year of election but shall pay, on election, the entrance fee and the annual subscription in respect of the year following election. Every member shall furnish the Honorary Secretary with an up-to-date address which shall be recorded in the Register of Members and any notice sent to such address shall be deemed to have been duly delivered.
- 2.8 The rates and charges to be made for miscellaneous and special sailing and social activities organised by The Club shall be fixed by the Management Committee

- 2.9 **Temporary Absence of Member** - A member who, for any reason, anticipates inability to use The Club or its facilities for the whole of any one year shall be excused payment of the annual subscription fee provided that notice is given in writing to the Honorary Secretary before the first day of May. A member wishing to be re-instated during the year shall pay such portion of the annual subscription as the Committee shall require.
- 2.10 **Resignation or Retirement of a Member** - A member who wishes to resign or retire from membership shall give written notice to the Honorary Secretary before the first day of May and shall not then be liable to pay the subscription for the following year. Upon re-application by a past member the Committee may, at its discretion, excuse the payment of an Entrance Fee.
- 2.11 **Arrears of Subscription** - If a member's annual subscription is more than 1 month in arrears **from the first day of May**, the member will be advised of this situation by the Honorary Secretary. If after a further period of one month the situation has not been resolved membership **may** be cancelled without further notice.
- If at any time any mooring or berthing fee payable to The Club by any member or former member shall be 1 month in arrears **from the first day of May** the Management Committee :-
- a. Shall be entitled to move the boat to any other part of the premises without being liable for the loss or damage to the boat howsoever caused.
 - b. The Management Committee shall be entitled, as per current RYA guidelines, to give notice in writing, to the member or former member at the last known address shown in the register of members, of the intent to sell the boat and deduct any monies due to The Club (whether by way of arrears or subscriptions or mooring fees or otherwise) from the proceeds of the sale before accounting for the balance (if any) to the former member. Any balance shall be placed upon bank deposit account and retained against the eventuality of a claim by the owner (whether he be the said member or former member or otherwise) for a period of six years.
 - c. Alternatively any boat, which in the opinion of the Committee cannot be sold, may, upon such notice as aforesaid, be disposed of in any manner the Management Committee may think fit and the expenses recovered from the member or former member. Any arrears as aforesaid shall be deemed to be a debt owing to The Club.
- 2.12 The Club shall at all times have a lien over members or former members boats parked or moored on The Club's premises or moorings in respect of all monies due to The Club, whether in respect of arrears or mooring fees or subscriptions or otherwise. For the purposes of this rule, boat is deemed to include trailer and all ancillary equipment associated.
- 2.13 **Conduct of Members and Undertaking to Comply with the Club Rules**
- a. Every member, upon election and thereafter, is deemed to have notice of, and impliedly undertakes to comply with, the Club Rules and the current Rules and By-laws of the Club. **By implication this also includes abiding by the licensing objectives as defined by the licensing authority.** Any refusal or neglect to do so or any conduct which in the opinion of the Management Committee is either unworthy of a member or otherwise injurious to the interests of The Club shall render the member liable to expulsion by the Management Committee providing that before expelling a member, the Committee shall call upon the member for an explanation of their conduct and shall give the member an opportunity of defending themselves or of resigning their membership.
 - b. The vote on a resolution for expulsion shall be by ballot and the resolution shall only be carried if not less than three-quarters of the members of the Management Committee present vote in favour of the resolution.
- 2.14 **Election of Members**
- a. A candidate for membership shall submit to the Honorary Secretary an Application Form (See Appendix 1) setting out his or her name, address and other particulars the Management Committee shall require, and containing the signatures of two full members in support, as Proposer and Secunder. The said form shall be prominently displayed in The Club premises for at least two days before the election takes place.
 - b. Application for membership received for persons under the age of eighteen shall be accompanied by a completed proforma shown at Appendix 2, duly signed by a parent or guardian.
 - c. Election of candidates to membership shall take place at a regular Management Committee meeting or a Committee Meeting duly convened for that purpose.

- d. The election of all classes of members is vested in the Management Committee and shall be by a simple majority vote of those members present and voting at the relevant meeting of the Management Committee. The Honorary Secretary shall inform each candidate in writing of the candidates election or non-election. He/she shall furnish an elected candidate with a copy of the Rules and By-laws of The Club and make request for such payments as are necessary.
- e. An annual membership card will be provided for each member and this shall be carried when visiting The Club premises and shall be produced on demand by any authorised official of the TWU Plc.
- f. Upon election a candidate shall pay, within one calendar month, such entrance and other fees as shall be requested. In default of such payment, the election shall be void unless sufficient cause for delay can be shown.

2.15 **Limitation of Club Liability to Members and Guests**

Members, and their guests use The Club premises, and its facilities entirely at their own risk and accept that The Club will not accept any liability for any damage to or loss of property belonging to members or their guests nor accept liability for personal injury arising out of the use of The Club premises or any other facilities of The Club.

Note:- It is strongly recommended that members make their own insurance arrangements to cover loss of personal possessions from the club-house and their boats.

- 2.16 **Suggestions and Complaints** - Suggestions and complaints of any nature relating to the management of The Club or its premises shall be addressed in writing to the Honorary Secretary.
- 2.17 **Data Protection Act** - Membership of The Club and acceptance of these rules by a member will be deemed to constitute consent to the holding of relevant personal data for the purposes of the Data Protection Act 1984

Section 3 - Officers

- 3.1 The management of The Club shall be by the Officers and a Management Committee of at least five and not more than **seven** Members of The Club.
- 3.2 Officers shall be elected at the Annual General Meeting (AGM) in each year to hold office until termination of the next AGM. All officers of The Club shall be eligible for re-election on the expiry of their term of office.

3.3 **The Officers of The Club shall consist of a President, and Members as follows:-**

- a. The Commodore
- b. The Vice-Commodore
- c. The Rear Commodore
- d. The Honorary Secretary
- e. The Honorary Sailing Secretary
- f. The Honorary Treasurer
- g. Harbourmaster
- h. Boatswain

3.4 **The Honorary Secretary shall :-**

- a. Keep a register of club member's names and addresses.
- b. Conduct the correspondence of The Club.
- c. Keep custody of all club documents.
- d. Keep full minutes of all meetings of The Club, the Committee and sub-committee's which shall be confirmed and signed by the appropriate Chairman upon agreement of The Club, the Committee or sub-committee at the next following meeting of The Club, the Committee or sub-committees.
- e. Maintain any such certificates or registrations and complete any such non-financial returns, as may be requested by-law.
- f. Collect subscriptions and berthing/mooring fees, and provide same to the Honorary Treasurer.
- g. **Ensure that the intent of the licensing objectives are understood by the Management Committee and promoted at The Club.**

3.5 **The Honorary Treasurer shall :-**

- a. Cause such books of account to be kept as are necessary to give a true and fair view of the state of the finances of The Club.
- b. Cause all returns as may be required By-law in relation to such accounts to be rendered at due time
- c. Prepare an Annual Balance Sheet as at 30th September in each year and cause such Balance Sheet (and accounts as necessary) to be audited at least once annually and shall thereafter cause the same to be exhibited in The Club premises at least fourteen days before the date of the AGM.
- d. Administer such insurance policy or policies as may be needed fully to protect the interests of The Club, its officers and members.

- 3.6 **Auditor** - An Auditor:-
- a. Judged competent by the Committee and under the authority of the Committee shall be appointed at the AGM in each year.
 - b. Shall audit the accounts of The Club when called to do so and shall give The Club such certificate of assurance as to the accuracy of said accounts as shall be required By-law or by The Committee.
 - c. If the auditor is unwilling or unable to act, inform the Committee who shall appoint a substitute to hold office until the termination of the next Annual General Meeting.
- 3.7 **Retiring Commodore** - A retiring Commodore should serve as an ex-officio member of the Committee in the year immediately following his retirement.

Section 4 - Management Committee

- 4.1 **Management of The Club by The Committee** -
- a. The Management Committee shall manage the affairs of The Club according to the Rules and shall cause the funds of The Club to be applied solely to promote the objects of The Club or for a benevolent or charitable purpose nominated by General Meeting.
 - b. **Management of The Club shall take account of the intent and provisions of the Operating Schedule detailed in Appendix 3. The Operating Schedule is the responsibility of the Management and Bar Committees and details principles and tasks adopted by The Club to meet the licensing objectives.**
 - c. Candidates for election to the Committee (not being Officers of the Club) shall be those members of the retiring Committee who offer themselves for re-election and such other members who may be proposed and seconded at the AGM.
 - d. If the number of candidates for election is greater than the number of vacancies to be filled then there shall be a ballot.
 - e. If the number of candidates for election is equal to or less than the number of vacancies to be filled then all candidates shall be deemed to be elected if two thirds of those present at the AGM, and entitled to vote, vote in favour of such election.
 - f. In the event of the ballot failing to determine the members of the Committee because of an equality of votes the candidate or candidates to be elected from those having an equal number of votes shall be determined by lot.
 - g. If, for any reason, a casual vacancy shall occur, the Committee may co-opt a member to fill such a vacancy until the next following AGM.
- 4.2 **Powers to make By-laws.** The Management Committee shall make such By-laws and as it shall from time to time think fit and shall cause the same to be exhibited in The Club premises for fourteen days before the date of implementation. Such By-laws shall remain in force until approved or set aside by a vote at an AGM of The Club.
- 4.3 **Appointment of Sub-committees** - The 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, providing that no less than two-thirds of the members of such committees are members of the Management Committee and that the total number is not less than four and that vacation of office on the Management Committee shall also involve vacation of office on any sub-committee.
- 4.4 A quorum of the Management Committee shall consist of four members.
- 4.5 The **Management** Committee may nominate for election at an AGM such Honorary **Life** Members as it may think fit. The total of such Honorary **Life** Members shall not however at any time exceed five percent of the total Full Membership. **Nominations for Honorary Life** Members shall be put to the vote at an AGM and such Honorary Members shall be duly elected if two thirds of those present, and entitled to vote, are in favour.
- 4.6 The Management Committee shall have the power to make conditions governing racing and the use of The Club's boats and premises generally. All races organised by The Club shall be sailed under ISAF and RYA rules except where modified by the AQSC sailing instructions.
- 4.7 A member of the Committee, of a sub-committee or any Officer of The Club, in transacting business for The Club, shall disclose to the third parties that he/she is so acting.
- 4.8 The Committee, or any person or sub-committee delegated by the Committee to act as agent for The Club or its members, shall enter into contracts only so far as expressly authorised, or authorised by implication, by the members. No one shall, without the express authority of the membership at a General Meeting, pledge the credit of the membership.

4.9 In pursuance of the authority vested in the Committee by members of The Club, members of the Committee are entitled to be indemnified by the members of The Club against any liabilities properly incurred by them or any one of them on behalf of The Club wherever the contract is of a duly authorised nature and entered into on behalf of The Club.

The limit of an individual member's indemnity in this respect shall be a sum equal to one year's subscription at the then current rate for that category of membership unless the Committee has been authorised to exceed such limit by an AGM of The Club.

4.10 The purchase for The Club of excisable goods and the supply of the same upon club premises shall be exclusively and solely under the control of the [Management](#) Committee, or a [Bar](#) sub-committee appointed by the [Management](#) Committee.

4.11 Subject to the requirements of the licensing authorities [and their stated licensing objectives](#), the Committee shall cause The Club bar to be opened at convenient times (See also Para 8.6) for the sale of excisable goods to persons who are entitled to the use of the club premises (except Junior members as aforesaid) PROVIDED THAT [guests](#) names and addresses and the name of their introducer shall have been entered in the Visitors Book upon entry to The Club premises. [Off-sale facilities are not provided at The Club.](#)

4.12 No person shall take a commission, percentage or other such payment in connection with the purchase of excisable goods for The Club. Any profit derived from the sale of such goods shall (after deduction of the costs of providing such goods for the benefit of The Club) be applied to the provision of additional amenities or the purchase of property to be held in trust for the benefit of The Club.

4.13 Proper accounts of all purchases and receipts shall be kept and presented at the AGM in each year and such information as the Honorary Secretary or Honorary Auditors may require shall be furnished to enable any statutory return or statement and the payment of excise or other duty or tax to be made.

Section 5 - Meetings of The Club

5.1 **Annual General Meeting** - The AGM shall be held not later than 20th December of each year at which an audited Statement of Accounts shall be laid before the members together with a statement of the numbers of full members. The Honorary Secretary shall, at least 14 days before the date of such meeting or of any General Meeting as hereinafter mentioned, post or deliver to each member notice thereof and of the business to be brought forward thereat.

5.2 **Chairman at Meetings** - At every General meeting of The Club the President or the Commodore or, in their absence, a Chairman elected by those present shall preside

5.3 **Business at the AGM** - No business, except the passing of the accounts and the election of the Officers, Committee and Auditor, and any business that the Committee may order to be inserted in the notice convening the meeting, shall be discussed at such meeting unless notice thereof be given in writing by a member entitled to vote to the Honorary Secretary at least 14 days before the date of the AGM. The Chairman of the meeting may, at his sole discretion, permit discussion of other urgent matters.

Only Full and Family members shall vote at any meeting of The Club. Other members may attend but are not entitled to vote.

Voting shall be made by a show of hands.

In the case of an equality of votes the Chairman shall have a second and casting vote, on any matter other than the election of members to The Committee.

5.4 **General Meeting upon request of the Members** - The [Committee](#) shall call a General Meeting upon a written request addressed to the Honorary Secretary by at least six members or 1/5th of the total membership if this is lower. The discussion at such meeting shall be confined to the business stated in the notice sent to members.

5.5 **General Meeting called by The Committee** - The Committee may at any time, upon giving 7 days notice in writing, call a General Meeting of The Club for any special business, the nature of which shall be stated in the summons convening the meeting, and the discussion at such meeting shall be confined to the business stated in the notice sent to members.

5.6 A quorum at any General Meeting shall be one-quarter of the number of Full Members.

5.7 **Committee Meetings** - The Management Committee should meet at least once a month making such arrangements as to the conduct, place of assembly and holding of such meetings as it may wish. The Commodore or in his absence a delegated Chairman or Chairman elected by those present, shall preside.

5.8 **Voting at Committee** - Voting (except in the case of a resolution relating to the expulsion of a member) shall be by a show of hands. In the case of equality of votes the Commodore or Chairman, as the case may be, shall have a second and casting vote.

5.9 No alteration shall be made to these Rules except by a motion to do so, properly put, at an AGM or an Extraordinary General Meeting **and approved by at least two-thirds of those present and entitled to vote. Any changes to the By-laws (set out in sections 8 and 9) made by the Management Committee under the provisions of Para 4.2 must be similarly be ratified at an AGM .**

Section 6 - Dissolution of The Club

If, upon the winding up or dissolution of The Club, there remains after the satisfaction of all its debts and liabilities any property whatsoever, the same shall not be paid to or distributed amongst the members of The Club but shall be given or transferred to some other institution or institutions having objects similar to the objects of The Club. Such institutions to be determined by the members of The Club by resolution passed at a General Meeting at or before the time of the dissolution and if and so far as, effect cannot be given to such provision, then to some charitable object.

BY-LAWS

Section 7 - General By-laws

7.1 All members MUST acquaint themselves with The Club Rules and By-laws, a full copy of which is always available within The Club premises.

7.2 Full, Family (including spouse and all children under eighteen), Junior, Social and Honorary **Life** Members shall have the use of The Club facilities subject to the requirements of Section 2 - Membership. **Social members shall not have the use of The Club' s boats or participate in water-borne activities**

7.3 A member may introduce not more than two guests in any one day and the names and addresses of each guest(s) SHALL be entered in a Visitor' s Book kept in the club-house for this purpose.

7.4 All members of **visiting** Sailing Clubs shall be considered as **guests** when visiting The Club; the names of such **persons** MUST be entered in the Visitor' s Book **and be signed in by a club member.**

7.5 The purchase, for The Club and the supply by The Club, of **alcohol** shall be exclusively controlled by a Bar Committee appointed by the Management Committee of The Club. **The AQSC Bar & Management Committees shall ensure that the measures detailed in Appendix 3 (i.e. The Prevention of Crime & Disorder, Public Safety, The Prevention of Public Nuisance and the Protection of Children are fully implemented and regularly reviewed to ensure effectiveness.**

7.6 The hours during which **alcohol** may be sold or supplied in the club-house shall be :-

Monday to Thursday	11:00 am - 3:00 pm 5:30 pm - 10:30 pm
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Friday and Saturday	11:00 am - 3:00 pm 5:30 pm - 11:00 pm
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Sunday, Christmas Day and Good Friday	12:00 noon - 2:00 pm 6:00 pm - 9:30 pm
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or as varied by the Licensing Authorities. **The Clubs licensable area shall be the main clubroom and its attached patio.**

7.7 Properly elected members of The Club, **over the age of eighteen, shall** be permitted to purchase **alcohol** in the club-house. **Note: The Club does not undertake off-sales from the club.**

7.8 No person under the age of eighteen years may purchase **alcohol** within The Club premises. **It is the duty of the Bar Committee to ensure the appropriate signs are displayed in the bar area identifying the legal age requirements for the purchase of alcohol.**

7.9 **It is the duty of the Bar Committee to ensure that all measures used at The Club satisfy current legislation and that up to date bar prices are displayed in a prominent position.**

7.10 No money or property of The Club or any gain arising from the operation of The Club shall be applied otherwise than for the benefit of The Club.

7.11 **Keys**

- Any member so desiring will be issued with Clubhouse and Works Gate keys. The loss of a key MUST be immediately reported to the Honorary Secretary and every endeavour made to recover the lost key. A replacement key may be issued at the discretion of the Management Committee and a charge will be made for the replacement.
- Members resigning from The Club MUST return all club keys in their possession.

- 7.12 **Works Security** - The gate from the Lower Sunbury Road into the works must be left as found after the passage of each vehicle or persons. In case of doubt it should be closed and locked.
- 7.13 **Access to Works** - With the exception of the works road from the Lower Sunbury Road to the river bank, the TWU works, filter beds and reservoir are out of bounds to members (See also Para 8.13)
- 7.14 **Use of TWU Property** - Members shall refrain, except in serious emergency, from using TWU property or equipment other than the ground or premises immediately adjoining the moorings, the use of which has been granted to The Club.
- 7.15 **Animals** - In accordance with the wishes of the TWU, no dogs or other animals are permitted on The Club premises.
- 7.16 **Clubhouse Security** - The last member to leave The Club premises MUST see that all doors and windows are locked and the keys replaced in the rack and that all electrical appliances are turned off at the main switches and must ensure that the security system is set and active.
- 7.17 **Car Parking** - Cars may only be parked in areas designated for such parking so as not to cause an obstruction to other cars or to the approaches of The Club premises.
- 7.18 **Refuse** - Club-house or personal refuse must not be dumped in the car park area but should be removed from the site.
- 7.19 **No personal property shall be kept on the Club's premises without the approval of the Management Committee. All such property shall be clearly marked with the Members name.**
- The Club reserves the right summarily to dispose of unauthorised personal property left on Club premises.
- 8.2 **Insurance** - Members of The Club who are boat owners must take out and maintain in force, a policy of insurance against Third Party risks in connection with the use of their boats.. Evidence of which is (a) declared on the annual membership renewal form, and (b) must be produced on request by an Officer of The Club. It is recommended that this cover should be at least the minimum prescribed by the RYA (See also Para 9.10)
- 8.3 **Boat Registration** - Members of The Club who are boat owners must register their boats with the Environment Agency - Thames Region (PO Box 214, Reading RG1 8HQ) and obtain a licence for the current year. **Evidence of which is declared on the annual membership renewal form**
- Note:** The requirements of 9.2 and 9.3 above are member's personal responsibility. The club will not accept any liability arising because members do not having these documents.
- 8.4 Members must acquaint themselves with the Environment Agency rules and right of way rules for sailing and powered craft.
- 8.5 **Members Boats** - No member may handle or use any privately owned boat or equipment without the express permission of the owner .
- 8.6 **Berths**
- Membership of the Club confers no automatic right to keep a boat on Club premises
 - Berths are allocated by the Harbourmaster acting on behalf of the Management Committee and are reviewed annually. As a general principle berths nearest to the launching ramp will be allocated to those members who sail regularly. The Committee reserves the right to require that boats which are used infrequently be moved to berths farthest from the launch ramps. If a member fails to comply with such a request within a reasonable period of time the Committee shall authorise its move and shall not be responsible for loss or damage to the boat.
 - Members shall keep their allocated berths neat and tidy and are responsible for keeping overgrowth cut back.
 - The number of wet berths is strictly limited. Preference will be given to long standing members with a good record of service to the Club, who for physical reasons may be wishing to convert from dinghies to bigger boats.

Section 8 - Sailing By-laws

- 8.1 **Members Duties** - All members are expected to undertake duty as Officer of the Day (OD), Assistant OD or rescue boat helm as advised by the Sailing Secretary and posted on The Club notice board.

- e Applications for wet berths must be submitted to the Management Committee in writing and approval granted before any boat is brought to the Club. When considering such applications the Management Committee will take into account the applicant's membership record and service to the Club, the suitability of the proposed boat for sailing at the Club and the likelihood that the boat will be in regular use. Catamarans and craft in excess of 7m overall length or 2.5m beam are unlikely to be considered suitable.
- f All boats kept on wet berths must be maintained in good, seaworthy condition,
- g Boats shall not be used for overnight accommodation whilst berthed at the Club

8.7 Club Boats

- a. Members must not handle The Club boats unless authorised to do so by the Officer of the Day or another Officer of The Club. Members who have been so authorised may handle The Club boats at any time during daylight hours in suitable weather conditions.
 - b. A charge for the use of The Club boats will be made to cover the cost of maintenance and insurance of the boats. This charge will be set from time to time by the Management Committee. The use of a club boat MUST be entered in the log book and it must be noted that priority in hire is to be given to those members wishing to race.
 - c. Any member bringing a club boat back to the moorings is responsible for mooring the boat and returning all gear to store. Any damage or defect occurring or found must be reported at once to the Honorary Harbourmaster or another Officer.
 - d. Potential users are advised they may be held liable for damage caused to a club boat if in the opinion of The Committee such damage was caused by negligent use.
- 8.8 The Club will not be responsible for any accident to any member or **guests** using a club boat. Persons who cannot swim are advised to take appropriate precautions. Children will not be allowed in any club boat unless accompanied by an adult.
 - 8.9 **The wearing of buoyancy aids or lifejackets will be compulsory :-**
 - a. During ALL club racing (failure to do so will lead to automatic disqualification)
 - b. When sailing in any club boat at any time.
 - c. When operating The Club rescue boat.
 - d. For Junior members (under the age of eighteen) at all times whilst on the water.
 - 8.10 The Club will not be responsible for any accident or damage caused by a member to a third party. This is the responsibility of the **member** concerned.
 - 8.11 Parents of Junior members (under the age of eighteen) are required to sign a consent form under which they agree to ensure that the member will abide by the conditions of membership (See Appendix 2).

Appendix 2

Aquarius Sailing Club

Conditions of Junior (Under 18) Membership

1. Junior members under 18 are only allowed on The Club premises in the company of a responsible adult.
2. They are not permitted to sail unless there is an adult member of The Club present who must be satisfied that the conditions are safe for sailing (if in doubt contact the Sailing Secretary).
3. Life Jackets or Buoyancy Aids must be worn at all times when on the water. It is recommended that wet or dry suits or other protective clothing should be worn during inclement weather. It is also recommended that Junior members should be able to swim a minimum of 50 metres wearing a buoyancy aid.
4. Wet clothing must not be worn in The Club lounge and members are requested not to leave wet clothing to dry in the changing rooms.
5. They may not use other members boats or equipment without the express permission of the member.
6. Club boats are available to hire at a cost of £2.00 per session providing the following are adhered to :-
 - a. The member must be competent to use the boat safely and must be given permission to use it by an officer of The Club. In a two handed boat it is desirable that a Junior is accompanied by an adult.
 - b. The hire must be entered in the log book.
 - c. Priority in hire is to be given to those members wishing to race.
 - d. Any damage must be reported and repaired or paid for. It should be noted that damage is as likely to occur from bad handling on land as it is afloat.
7. Courtesy must be shown to all river users and all members should be aware of the dangers of water and of the river especially of hired motor cruisers which may be helmed by inexperienced persons.
8. All TWU property apart from the access road to The Club, the car park and The Club premises are strictly out of bounds.
9. If desired, keys to The Club premises will be issued to parents on the strict understanding that these remain in the parent's possession and may not be used by the Junior member independently.
10. All members sail at The Club at all times at their own risk and The Club cannot be held responsible for members safety. While safety boat cover will normally be on hand during official racing hours, it is unlikely to be available at other times. It is therefore recommended that whenever possible Juniors should sail in company with other boats.

I Accept the above terms on behalf of my son/daughter..... and will ensure he/she abides by them.

Signed

Appendix 3

The following is the Aquarius Sailing Club Operating Schedule. It has been written to define the measures that The Club takes to meet the Four key Licensing Objectives prescribed by Richmond upon Thames Borough Council (The Licensing Authority).

A. The Prevention of Crime and Disorder

The measures to meet this objective are as follows:-

1. Aquarius SC is situated within an operational Thames Water facility. Entry to the club premises for both members and their guests is via outer and inner road gates, both of which are locked. These gates are a hundred yards apart and the roadway between them is bounded on both sides by ten foot high chain linked fences. The gates and fences are maintained by Thames Water as part of their internal security measures. The inner gate is fitted with an answer-phone which is linked to the clubhouse and is also overlooked by a PIR operated floodlight. The car park is also covered by a PIR system which operates the ramp and waterfront lights leading to the clubhouse. Members also have a key to the clubhouse front door. The club is not open to the general public.
2. The Club has a strict membership application and acceptance policy. All membership applications must be sponsored by an existing full member and be approved by the Management Committee which meets monthly (*see AQSC Rules & By-Laws, Section 2*).
3. The Club has some sixty members, all of which are personally known to The Club Management Committee. Every member is issued with a membership card which is renewed annually on payment of membership fees (*see AQSC Rules & By-laws, Section 2.14*)
4. All guests must be signed-in by a sponsoring member using the visitor's book provided. This must include their name and address as a minimum. This also applies to Flag Officer reciprocals and visiting crews from other local sailing clubs (*see AQSC Rules & By-laws, Section 8*)
5. Aquarius SC, together with other clubs, pubs and businesses in the Hampton area, has formed an alliance with the Metropolitan & Surrey Police forces to combat anti social behaviour. A leaflet concerning this initiative has been distributed to all members via the club newsletter..

6. An incident/accident book is provided within the clubhouse. A disposable camera is also available as part of the Anti-Social Behavior measures recommended by the Surrey & Metropolitan Police (Pictures taken of anti social behaviour on the river/riverbank are forwarded to the relevant authorities).
7. The club provides non-profit making bar facilities as a convenience to its members. The club does not operate happy hour or drink promotions. Bar opening hours are as stated in *AQSC Rules & By-laws (Section 8)*.
8. The Club regulations state that no person under the age of eighteen years may purchase alcohol at The Club. (*see AQSC Rules & By-laws (Section 8)*). Notices to that effect are also posted in the bar area. This does not however exclude under eighteen year olds from the bar area of the general clubroom.
9. Public mooring anywhere along the waterfront is specifically prohibited by Thames Water and underlined by appropriate signage. Access to The Club from the river, other than by members, is prohibited.

B. Public Safety

The measures to meet this objective are as follows:-

1. The Club does not have any employees. All activities are undertaken on a voluntary basis by the Management Committee and or members.
2. Access to The Club from the Lower Sunbury Road, by the general public, is not possible given its location within Thames Water's Hampton facilities.
3. Warning notices are posted along the waterfront area of The Club by Thames Water to deter public landing. Safety equipment, such as life buoys, on the waterfront, are also maintained by Thames Water.
4. The Club operates a Health and Safety policy based on the RYA model.
5. The Management Committee includes someone with specific responsibility for Health and Safety at The Club. This includes

first aid and risk assessment within the premises.

6. The Club operates an ongoing Risk Assessment policy based on the RYA model.
7. The Club maintains a large general first aid box together with a map of the quickest route to the nearest A&E department. The Club also has a small emergency 'one-use' first aid box as per current recommendations.
8. The club maintains (i.e. pays for training/re-training) of certain members as qualified first-aiders within the premises (certificates in clubhouse).
9. All accidents and/or use of supplies from the first aid boxes are required to be entered in the accident book provided.
10. The Club has an annual contract with ' Fire Protection Services' (South East) who regularly inspect and maintain its fire extinguishers and fire blankets (current certificate in clubhouse) *Note:* The Club is electrically powered, no mains gas has ever been connected.
11. The Club has from time to time been visited by Richmond Borough Council' s Health & Consumer Services Division. All recommendations of this body have been complied with.
12. Escape routes/fire exits from The Club are clearly defined by signs which automatically internally illuminate in the event of a power loss. These are checked regularly. All exit areas, both inside and outside the club are kept clear as a matter of course. Externally the exits are illuminated at night.
13. The Clubs designated fire assembly points are (a) the car park (downstream exits) and (b) the Sunnyside reservoir overflow (upstream exit).
14. By membership request The Club operates a no smoking policy within its buildings.

C. The Prevention of Public Nuisance

The measures to meet this objective are as follows:-

1. Given its location within a Thames Water facility The Club does not have any close neighbours on the Middlesex bank. On the Surrey bank, and a hundred yards downstream there are several houses, many of which are owned by club members.
2. Light pollution from the clubs external lights is reduced by the use of PIR control and low voltage down-lighters and is insignificant when compared to the adjacent Thames Water facility. At night, internal lighting is masked by full length curtains along the whole waterfront length of the clubroom.
3. There is little or no noise from the clubhouse itself, which is mainly used for club sailing events on Wednesday afternoons and Sundays. The club does not have any PA or stereo sound systems, just a radio, mostly used for receiving weather forecasts. The toilets and kitchen extractor fans are all of the small household variety and are set the back wall of The Club facing the reservoir bund.
4. Noise pollution from the car park area is minimal given that it is screened from houses on the opposite bank by fir trees and Thames Water installations.
5. Because of its location members generally visit the club using their own transportation. Occasionally private taxis are used and the club maintains a local listing.
6. All litter generated by The Club and its members are removed from the premises by management committee members on a regular basis. Glass, paper, cardboard, metal and plastics are separated and sent for recycling.
7. Signs are displayed at The Clubs main exit encouraging members to leave the premises quietly.
8. The patio is used during the summer. This area is bounded on the upstream side by the club house. At the rear by the reservoir bund and the downstream end it is screened by a race control box and foliage. On the river side there is a three foot high fence running from the race control box to the club house. The patio itself is covered by a beamed pergola. There is no housing directly opposite the patio on the other side of the river. Noise pollution from this area is minimal given its screening and that it can support less than a dozen people.

D. The Protection of Children from Harm

The measures to meet this objective are as follows:-

1. The Clubs membership policy allows for Child/Junior membership (i.e. persons under the age of eighteen). The policy governing this membership is detailed in *AQSC Rules & By-laws (Appendix 2)*.

On application for membership this Appendix MUST be signed by the Child/Junior's parents or guardian on their behalf. This effectively pledges that the parent or guardian will ensure that the applicant abides by The Clubs terms of membership.

Note: Child/Junior members tend to be the children of adult members.

2. No one under the age of eighteen may purchase alcohol at The Club (see *AQSC Rules & By-laws (Section 8)*). The ages of all The Clubs Child/Junior members are known to The Clubs bar committee via their annual membership forms.
3. The Club is primarily family based. Gambling is not allowed and The Club has no provision to show films, video or DVD. There are no gaming machines of any kind at The Club.
4. The primary purpose of The Club is sailing. This means that all age groups can be at the club at any one time. The bar is an open area within the main clubroom and therefore does not exclude under sixteen year olds.