

Carrick Castle Boat Club

Celebrating this year 25 years of service to its members since 1989

Douglas Locke – Secretary/Treasurer

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Minutes of the Committee Meeting held at Cruach House, Carrick Castle on Friday 7th February 2014 at 18.00 hrs.

- 1) Liz Evans, Chair, welcomed the committee members to the meeting.
- 2) Those present were Liz Evans, Chair; Douglas Locke, Secretary & Treasurer, Jim Graham, Moorings Officer & Euan Avery, Vice-Chair. Apologies were received from Rob White, Non-Residents Representative. The last Committee Meeting's Minutes of 12th October 2013 were approved by the committee and signed by the Chair.
- 3) The visitor's moorings had been used 75 times this year (56 in 2012 & 48 in 2011) between the two moorings. Unfortunately eight did not pay in that year compared to two in 2012 & four in 2011. Those that did not pay have been added to the club's Name & Shame page on the club's website. Those that had paid; paid £10.00 per night. Nine paid by cash using the CCBC box by the club's notice board (6 in 2012 & 15 in 2011), three by cheque (four in 2012 & 1 in 2011), two by FPS/BACS (1 in 2012 & 2011) and 51 via PayPal through the club's website and WiFi (43 in 2012 & 29 in 2011). PayPal charged a commission of £0.54 per transaction (£27.54) and the club pays £0.46 per use of the moorings overnight for the WiFi connection (£34.50). The income from the two visitor's moorings after PayPal commission and Internet charges amounted to £567.96 (£500.68 for 2012). The contingency fund for future replacement of mooring tackle and servicing charges amounts to £470.00 after payment of £250.00 for replacement tackle in the year.
- 4) Action had to be taken at the end of 2013 over members who did not comply with the Crown Estate's requirements of proving they had third party insurance for their vessels on moorings. One member, after seven reminders, was given an ultimatum to comply by a certain date but did not comply so was not offered to have membership renewed and application forms were sent for that person to apply directly to the Crown Estate for private membership. The other member agreed to comply for 2014 and rejoined the association. The vast majority of members who have vessels on their moorings do provide copies of their third party insurance certificates annually without generally having to be reminded.
- 5) The Crown Estate has now altered its Rules & Regulations following legal advice to the Crown Estate regarding working with mooring associations. It had been a condition that members Vessel Owners Agreements were signed agreeing to service their moorings annually and have third party insurance for a vessel that was on a mooring. A copy of this insurance cover was requested by the club as proof of cover as The Crown Estate required this as part of being allowed to have a mooring. However, the Crown Estate took legal advice concerning this as it was pointed out to them that a vessel owner could

cancel the insurance immediately after sending proof to the club and then it would leave the club open to a claim if the member did not then have insurance cover. The Crown Estate did not want clubs to be at risk like this so a new vessel owners agreement called a Minute of Agreement will now have to be signed by every mooring owner annually to cover each season. In this agreement the Crown Estate require the vessel owner who has a mooring to tick two boxes that put the onus on the vessel and mooring owner to confirm that their mooring will be inspected by a competent person each year and also to confirm that the vessel is insured to at least third party insurance cover. These new Minutes of Agreement will be e-mailed out to members shortly and must be completed and returned to the club as quickly as possible prior to vessels being put on their moorings. The Crown Estate has advised that members who do not comply will not be able to remain members of any mooring association. Members will not in future have to send the club copies of their insurance certificates.

- 6) The finances of the club are in a healthy position. The bank account balance at 31st December 2013 was £1,560.05 making a surplus for the year of 2013 of £506.73. The current bank balance as at 7th February 2014 is £2180.71 after receipt of members' subscriptions and payment of £1,440.00 to the Crown Estate on 1st January 2014. The club has 32 members.
- 7) As was reported at the last committee meeting that Carrick Farm sold most of its land that included the slipway to Tilhill Forestry Ltd. (as agents for Carrick Estate UPM) and so the use of the slipway became under the control of the new owners. Tilhill agreed that the club would be granted an Access Permission Agreement for its members to use the slipway with conditions. These included that the gate be locked at all times, that £3M third party insurance cover would be required for using the slipway for vessels and £5M cover for vehicles. The cost of providing this cover was not an option for the club and it told Tilhill that all members using the slipway would already have to have their vessels covered by third party insurance cover under their Mooring Agreements and vehicles using the slipway launching and retrieving their vessels would be covered by their motor insurance. It was therefore not an option for the club to sign the Access Permission Agreement for its members to use the slipway. Tilhill was asked to reconsider these terms so that club members' insurance covers for their vessels and vehicles could cover these risks and not the club. Tilhill agreed in August 2013 to put this matter to the land owners and come back to us in due course. They have not done so to date so members using the slipway are doing so as individuals and not as club members. At the date of this committee meeting the club received the following e-mail from Tilhill – “You will all be wondering what is happening at Carrick with the woodland as well. The Woodland Scheme was approved by the Forestry Commission last September, but the current landowner felt that the design, as it evolved through consultation, no longer met their objectives, so have put the land – with the approved woodland creation scheme in place - on the open market. There is some interest so we are hopefully someone else will come in to develop the woodland, with ourselves still involved as managers, but only time will tell.”
- 8) We have been discussing club insurance with the Crown Estate's agents, Bidwells, to cover third party risks when visiting vessels use the club's two visitors' moorings, unauthorised use of private moorings and the liabilities

involved concerning the committee and club members. As there is a litigation culture now in existence, the committee members are concerned about possible danger to members' assets. The mooring contractor has insurance and the club is careful to always use the contractor's professional services annually to ensure the visitors' moorings and private moorings are maintained and serviced to the highest standards. Whilst the risks may be minimal, risks do exist so the committee decided to obtain quotations for third party insurance for the visitors' moorings and any liabilities that may affect the members and officers. Bishop Skinner has given the club the most competitive quotation for a mooring association at £447.00 p.a. The full insurance proposal will now be requested and Jim Graham will follow this up requesting a quote to cover third party claims against unauthorised use of private moorings. The committee will explain this in detail at the next AGM on 4th April 2014 to the members as it considers this cover to now be essential. Members will be reminded at the meeting of the original reason for having the first visitor's mooring which was stated at the time as follows – "After several years of our club members' moorings having been occasionally used by oversized yachts and in some cases the moorings having been dragged, our club decided to try and do something about this situation that was costing members to have their moorings repositioned by our mooring contractor. The club raised a considerable four figure sum of money to provide visitors to Carrick Castle in Loch Goil, Argyll with a 15 tonne blue visitor's mooring one cable north of the castle."

- 9) In view of the above the committee will have to suggest that the annual subscription that members pay be raised by up to £10.00 per annum from 2015 to partly pay for this insurance cover with part coming from the visitors' moorings income. As this income is insufficient to cover maintenance, servicing and insurance, the members' subscription would have to be increased. The £15.00 fee has been kept the same since 2009. Some other clubs are apparently charging £35.00 pa to cover the insurance aspect now deemed as a necessity.
- 10) In view of the new Crown Estate changes referred to in 5) above, members must now confirm that they will have a competent person inspect their moorings annually. The club has arranged Neil Cunningham, a professional mooring contractor, to inspect members' moorings annually for those who have asked. 19 members has so far asked for their moorings to be serviced, 3 have asked not to have their moorings serviced and 7 have not said either way to date. Jim Graham, the club's mooring officer will be contacting those who have not yet requested or who have said no to find out if they have another competent person lined up to have their moorings serviced shortly. The next inspections under the club's group servicing scheme will be done in the spring of 2014.
- 11) The dates for future meetings are as follows: - AGM with talk & videos on Pilotage in the Clyde with a Buffet following to celebrate the 25th Anniversary of the club will be on 4th April 2014 at 18.00 hrs at the Lochgoilhead Village Hall. The club's annual Muster with barbecue on the beach will be on Sunday 10th August 2014 at 12 noon at Swine's Hole, Carrick Castle.
- 12) There was no other business.

The committee meeting closed at 19.15 hrs.