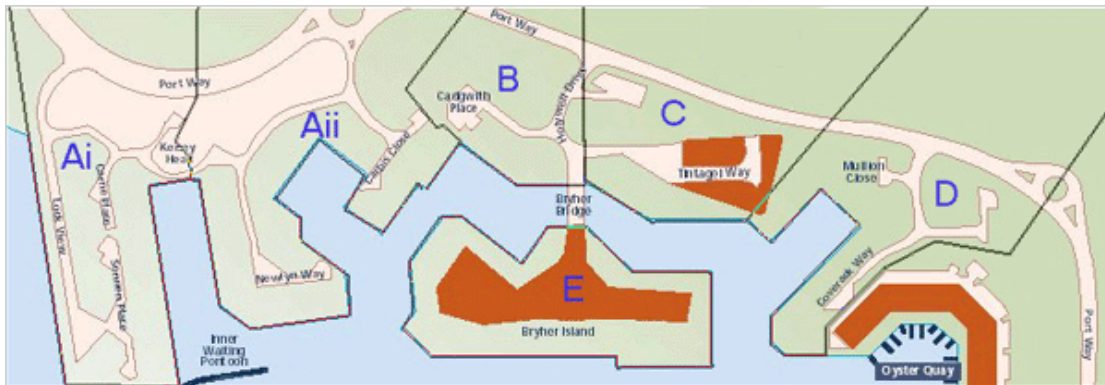


WHAT SIZE BOAT CAN I PUT ON MY POSOL BERTH?

This document defines the size of boat that may be berthed on any given berth. Because there are small differences in the way the pontoons have been set out in different areas, the map below shows the various development areas of the POSOL estate.



	Address	Built by
Ai	Carne Place, Sennen Place, Kelsey Head	Higgs and Hill Homes Ltd
Aii	Newlyn Way, Carbis Close, Kelsey Head	Higgs and Hill Homes Ltd
B	Cadgwith Place, Holywell Drive	Higgs and Hill Homes Ltd
C	Tintagel Way	Crest Homes Ltd
D	Mullion Close, Coverack Way	Swan Hill Plc
E	Bryher Island	Swan Hill Plc

Berths

The documents which govern the POSOL berths are the Underleases from Port Solent – the developers via Premier Marinas, to POSOL, which cover all the POSOL berths and the individual Sub-Underleases which are specific to each berth.

Most POSOL berths are accessed via a pontoon, which is fixed at right angles to the marina wall. In most cases, two adjacent pontoons are fixed to the wall in parallel with each other. For the purpose of this policy such a berth is referred to as a Standard Berth. The guidance on the size of boat below all relate to this type of berth. See Figure 1.

However, where the marina wall changes direction, two adjacent berths may not be parallel but ‘splayed’ so that the outer ends of the two berths are wider than the inner ends. See Figure 2.

In a very few cases, berths are arranged alongside the marina wall. See Figure 3. The words length and width should be transposed as appropriate when considering an “alongside” berth.

Figure 1

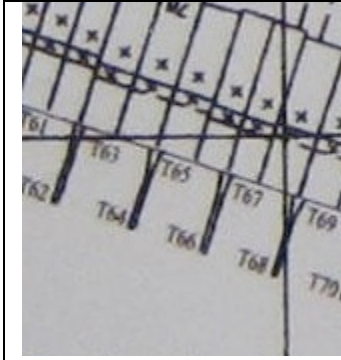


Figure 2

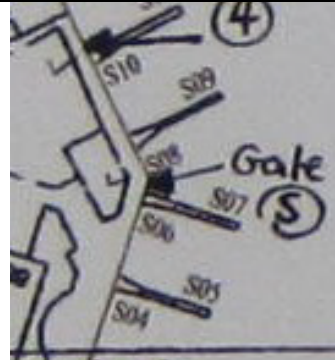


Figure 3



For non-standard berths such as splayed berths and alongside berths the same principles will apply but account must be taken of the non-standard factors.

In the following, any text in *italics* is copy taken straight from the legal document in question.

The maps included with the Sub-Underlease are to such a small scale that it is not reasonable to measure the paper map and to scale up to find the exact dimensions of the berth. Lines drawn on the map by hand merely indicate the location of the berth in question and do not define the boundary.

In areas Ai, Aii, B, D and E:

For standard berths adjacent to waterside houses the boundaries will be in line with the walls dividing the houses. Thus 5 metre wide houses will have wider berths than 4 metre wide houses. Note exception for end walls of end-of-terrace houses below.

For standard remote berths located in the gaps between houses the dividing line between berths will be a line equidistant from the adjoining pontoons.

For standard berths adjacent to an end-of-terrace house the dividing line between this berth and the adjacent remote berth will be a line equidistant from the adjoining pontoons.

In area C:

All berths are adjacent to a Posol owned pathway with no specific alignment with any house boundary. In all cases the division between berths is the dividing line equidistant from the adjoining berths.

For all areas:

The length of POSOL berths is defined on a drawing in the Underleases referred to above. This shows a line drawn parallel to the marina wall for the whole of the POSOL berth area and this line is annotated with a dimension showing that the water under-leased to POSOL extends 11.0 metres from the wall. The only variations to this occur where there is a non right angle corner in situations such as are shown in the example drawings above. A standard berth is therefore 11m long.

It should be noted that the pontoons take up some space and the width of water available for a boat is diminished, in most cases, by half the width of the pontoon itself. The pontoons are owned by POSOL

Boats

The Sub-Underlease includes the clause: *“The Lessee hereby covenants with the Lessor as follows:-not at anytime during the Term to use or permit or suffer the berth or any part thereof to be used for any purpose other than for the mooring of one Vessel of an appropriate size for the Berth”.*

When considering the width of the boat allowance must be made for riding room and fenders. In order to accommodate boats as large as possible, POSOL has determined that the standard allowance for riding room and the usual (cylindrical) fenders can be as low as 400mm. The maximum beam of the boat must therefore be 400mm less than the available water space (Note that 400mm is less than half the amount recommended by the Marina Federation). In some cases, boats with a slightly larger beam can be accommodated, providing the owner agrees to some special conditions concerned with how the boat is fendered and moored. For example, by using dense foam flat fenders

Despite the use of the berth being restricted to one vessel POSOL has accepted that a floating pontoon used as an aid to mooring one vessel does not itself constitute a second vessel. Such floating pontoons should be secured to the POSOL pontoon in such that they float when fully loaded and do not hang on the POSOL pontoon. The pontoon and the boat sitting on it must be moored within the confines of the berth.

Considerations in respect of boats that are too big to fit within the boundaries of the berth.

A boat that is too wide to fit into its own berth will trespass into a neighbour's berth. Just as it would be unreasonable to park a car on a neighbour's front garden then it is equally unreasonable for part of a boat (including its fenders) to extend into the neighbour's berth.

If the neighbour is willing to accept the trespass, POSOL requires that a licence is signed by both parties accepting the trespass. A sample form for this purpose is available on the POSOL web site or is available from our Managing Agent. In the absence of such an agreement, a copy of which must be lodged with POSOL, POSOL cannot register an over width boat on that berth.

A boat which is too long to fit into its own berth will trespass into water leased to Premier Marinas.

Although POSOL's finger pontoon berths are 11m long, Premier Marinas has accepted a small increment of 300mm. This means that POSOL is able to register boats on these pontoons which are up to 11,3m length overall. This is the top limit and POSOL cannot register a boat that is any longer.

TALK TO US

When considering bringing a new boat on to your berth and its length or beam may be an issue, please contact POSOL before bringing the boat into the marina. It could save a lot of misunderstanding. Details of POSOL's Managing Agent are available on the 'CONTACT US' page on the POSOL website (www.posol.co.uk).

Approved by the Board on 18 October 2019.
Ref: P-B-Boatsize-1910