

Annex 1 DEFINITIONS

Wherever the following terms appear in these Conditions, and the attached Licence, the Regulations and Repair Work TERMS AND CONDITIONS they will have the special meanings defined here:

TERM	MEANING
ADDITIONAL CHARGE	means charges payable to the COUNCIL for MARINA SERVICES booked or used by the OWNER which are not comprised within the TARIFF CHARGE;
AGREED CHARGEABLE LENGTH OVERALL	means the distance between the foreface of the foremost fixed permanent structure and the afterface of the aftermost fixed permanent structure, and "fixed permanent structure" includes any portion of the hull which is capable of being detached, but which must be fixed in place during the normal operation of the BOAT. TOGETHER WITH any functional arrangements such as safety rails, bowsprits, pulpits, stemhead fittings, rudders, steering gear, outdrives, outboard motors, propulsion machinery, diving platforms, boarding platforms, rubbing strips and fenders if these are in position at any time whilst the BOAT is within the area of the MARINA.
BERTH/MOORING	means the space on water or land from time to time allocated to the OWNER by the COUNCIL for the BOAT during the term of the LICENCE.
BERTH-HOLDER	see definition of OWNER below
BENEFICIAL OWNER	the person/ persons with day-to day control and benefit of the BOAT as passed to them by the legal owner; for the avoidance of doubt, all references to OWNER in this document shall jointly include the BENEFICIAL OWNER.
BOAT	includes any form of craft, BOAT, ship, yacht, dinghy, multihull, or other marine structure which is associated with the BOAT and in the care and control of the OWNER, in the marina whether or not detailed in any LICENCE written or otherwise between the COUNCIL and the OWNER.
CHARGES	means jointly the TARIFF CHARGE and ADDITIONAL CHARGES
COUNCIL	means The London Borough of Southwark
GENERAL GUIDANCE	Shall mean the General Guidance and Basic Safety Advice Notes at Annex iv hereto and any changes made to the same from time to time by the COUNCIL
LEISURE LICENCE	The LICENCE given to all BERTH-HOLDERS other than those with specific permission to LIVE ABOARD their vessel – the STANDARD LICENCE only permits a BERTH-HOLDER to stay overnight on the BOAT for a maximum of 8 nights per 30 days period or 28 nights a year.
LENGTH OVERALL (LOA)	means the distance between the foreface of the foremost fixed permanent structure and the afterface of the aftermost fixed permanent structure, and "fixed permanent structure" includes any portion of the hull which is capable of being detached, but which must be fixed in place during the normal operation of the BOAT. It does not include functional arrangements such as safety rails, bowsprits, pulpits, stemhead fittings, rudders, steering gear, outdrives, outboard motors, propulsion machinery, diving platforms, boarding platforms, rubbing strips and fenders.
LICENCE	means the LICENCE for BOATS afloat or ashore and Chapters 2, 3, 4 and Annex's I, II, III and IV hereto and any changes made to the same from time to time by the COUNCIL

LIVE ABOARD	Title given to berth holders who are permitted to live on board their boats for periods in excess of the Standard 28 days per year.
MANAGER	means the person responsible for the day-to-day management and administration of the MARINA on behalf of the COUNCIL.
MARINA	means all the land, adjacent water and buildings occupied by or under the control of the COUNCIL, and known as South Dock and Greenland Dock. Areas where public access is legally permitted to be excluded.
MARINA OFFICE	The Office located in South Dock by the lock gates within which the staff and MARINA MANAGER are located
MARINA SERVICES	means those facilities and services made available to the OWNER and the OWNER'S PARTY at the MARINA at the prevailing tariffs, including but not limited to: car parking, use of luggage trolleys, hard standing, electricity, electrical hook up points, water points, bunkering facilities, toilets, showers, wash areas, laundry facilities and waste and refuse disposal;
OWNER	includes where appropriate any person or corporate body who or legal entity, as principal or agent, has entered into a LICENCE with the COUNCIL and any charterer, master, agent or other person for the time being in charge of the BOAT (excluding the COUNCIL its servants or agents), and includes the BENEFICIAL OWNER and any co-habitees.
OWNER'S PARTY	means the OWNER'S family and private guests or visitors lawfully at any time within the MARINA
PERSONS	include the OWNER, crew, visitors to the BOAT, and any contractors or other attending at the MARINA in relation to this LICENCE
REPAIRS	means any works carried out to the BOAT that is regarded as over and above running repairs by the MARINA MANAGER.
SDMBHA	South Dock Marina Berth-Holders Association (SDMBHA) a voluntary organisation responsible for representing the interests and concerns of all berth-holders
STORAGE ASHORE	means the land space temporarily allocated to the OWNER from time to time by the COUNCIL for the storage ashore of the BOAT during the term of the LICENCE.
TARIFF CHARGE	means the sum payable to the COUNCIL for the use of the BERTH during the TERM; see also ADDITIONAL CHARGES and MARINA SERVICE
TERM	means the period of time agreed upon in the LICENCE
TERMS & CONDITIONS	means the provisions contained in this LICENCE (as defined)
TERMS AND CONDITIONS FOR BOAT REPAIRS	Shall mean the TERMS AND CONDITIONS FOR BOAT REPAIRS at Annex III hereto and any changes made to the same from time to time by the COUNCIL
USER	means any person using the MARINA for any purpose whatsoever, lawful or otherwise.

