

## Minutes of Member's Forum – 8<sup>th</sup> June 2023

**Committee Present:** George Pettifor, Steve Crocker, Chris Shefford, Hilary Davies, John Clay, Sam Danger, Nick Revell and Dave Guy.

Meeting commenced at 7-30pm.

GP started the meeting off by saying that, as he was unable to speak at the SGM held on 16<sup>th</sup> March 2023, he would like to say a few words.

The petition leading to the SGM was against him and Steve Crocker, the Honorary Secretary. He was not popular with some because he was trying a more lenient approach to complaints. He was not rushing into the commencement of disciplinary proceedings but was discussing problems with the parties concerned.

In the end he had the vote to carry on as Commodore.

The Flag Officers had been instrumental in instigating the SGM and they had both been asked to step down, which they had done.

The majority of the Committee were in agreement and had worked hard to prepare to address the SGM, but they had been stopped from doing so by the Flag Officers.

Unfortunately, the Manager had been suspended because of his inappropriate action at the SGM, but he had subsequently resigned as he did not feel he would have a fair hearing.

GP went on to say that at the SGM in September 2022 he had promised that he would hold an AGM in June. However, it is planned to have the AGM in September, which will not be over a year since the last one.

There are some very good people on the Committee capable of becoming Flag Officers, who will have the necessary time qualification by September.

There were a lot of members who did not like people being expelled, especially Mr David Rees, and GP made it one of his aims to have him re-instated. It was found that his expulsion did not follow the disciplinary procedure included in the Rules and could give Mr Rees a Claim against the Club.

However, GP felt that he should not have been banned for having a row with another member. GP apologised to Mr Rees. It was agreed that the true story needs to be given to the members.

Ian Burgess suggested that a letter be sent out to the membership explaining that David Rees was not guilty of anything that should have led to his expulsion.

GP also informed the meeting that in May the Club had made the biggest profit since 2007, when they started keeping records. This was largely due to the Committee's hard work.

Susan Perkins said that the Committee should be thanked, and subject to following the Rules, a more lenient approach was good.

David Cole Evans said that the Committee have a duty of care to all members. It was stated that the Committee were in the process of addressing outstanding matters. Dave Guy said that for five months, after the September 2022 SGM, the Committee had been fighting to get the job done but had met with numerous obstacles. He stated that a number of people were so worried about the situation that they had been actively looking for berths in the Marina.

CS is hoping to have a revised Constitution by the end of June, which will be sent out to the membership for comment.

It is hoped the Club will have a new Manager shortly.

It was agreed that the SGM held in March was a debacle; and it was confirmed that any future AGM's or SGM's would be held at a venue big enough to hold the voting membership.

Dave Cole Evans asked about the accounts. GP said that SC and CS were looking into it, and that a forensic accountant has been employed. There are some anomalies. It seems that a credit agreement was entered into with Heineken, but it does not appear to have been agreed by an AGM. The Committee are slowly going through the records.

It appears that there have been some very bad management decisions. There has been no cost control.

Items were purchased which were not used by the Club. This Committee has spent a lot of time fighting fires. The Committee are in the process of changing suppliers as the arrangement with Heineken is not cost effective, and the Club is selling the beer for what it pays.

Terry Carroll queried the AGM being held in September, but GP explained that it was the best way forward. The accounts have not been finalised, and the Committee have only just started to operate to their full capacity so they can prove themselves to the membership.

Phil Landeg raised the point that Berth holders could not be employed by the Club. It was agreed that CS would check the Rules.

Kevin Nichols said that it was refreshing to see the way that the present Committee were operating.

A question was raised that the Social Members have requested a representative on the Executive Committee. It was agreed that this would be looked at and was something that would have to be raised at an AGM.

SC said that there is a social side to the Club and that needs to be looked at and improved.

A query was raised about use of membership cards. It was asked if a member was a regular user and known to the staff could they have the member's discount. This was allowed in the past but was stopped because of fraud. The Committee agreed to look into it.

It is felt that at present there are too many social members, and some full members feel that they have lost their Club. Ian Burgess said that at the end of the day it is a Club not a pub.

Sue Perkins said that it was important to circulate information to the Members, and GP confirmed that this has been done and will continue to be done.

Also, it was stated that members were free to attend committee meetings as observers, except when confidential matters concerning members and staff were discussed.

John Hopkins raised the fact that there is no proper lighting on the pontoons, the lack of trolleys, the bollards and the yard.

GP confirmed that the Committee had decided to have a barrier instead of bollards and we are waiting for quotes. The work will be done as soon as possible.

Dave Guy said that the bio at lift will be operable hopefully from the 9<sup>th</sup> of June 2023.

Roger Bayliss had raised a query about the SGM when the Berth Holders requested a gift.

He queried whether the Committee had looked at the proposal. GP said that the Committee had discussed the matter but could not stop them having the SGM. It has been said that the proposals were not set out properly and there was no proper plan. Hopefully, if the matter is raised again, the Berthing Committee will be better prepared.

Kevin Nichols said that the pontoons need to be sorted out. SC said that the fee structure did not stack up and needs to be revised.

A question was raised about whether the club had profited from the Iron Man competition. It was agreed that it had. It was confirmed that the provision of breakfast is doing well. There has not been as much profit as was hoped, but the situation has to be monitored and prices carefully controlled.

A question was raised regarding Simon Bevan, the former manager. GP explained that he had been on a disciplinary after his outburst at the SGM on 16<sup>th</sup> March 2023. He had been suspended on full pay, and the Club had closely followed legal advice. However, Simon had decided that he would not get a fair hearing so had resigned.

Ian Burgess asked for the Club's web site to be updated, HD confirmed that she was arranging for this to be done.

There was a query about the fact that the Club's policy relating to anti-fouling was an effort by the Club to be green, but this was in contrast to the fact that the Club is planning to purchase outdoor gas heaters. It was stated that the purchase of outdoor gas heaters was not a done deal but had only been discussed as something that could be purchased with the profits earned from special events planned by the Committee.

The Committee were praised by a Life Member.

Susan Perkins mentioned the queries that she had raised regarding the Club becoming a corporate body, having an intranet and postal voting. Written replies had been prepared by the Committee and she was happy that the Committee will look further into all of them. Although Terry Carroll did query the benefit of having a limited liability company, as he had read that it was not a good idea for a Club like ours.

The Water Carnival is due to take place on 12<sup>th</sup> August 2023.

Terry Carroll raised the matter of Trustees and CS confirmed that this would be dealt with at the AGM.

There was a query about the proposed Chandlery. The meeting was told that Eddie Harvey had donated velux windows. JC said that he had been in touch with several suppliers; and there was also a contact in Southampton. Hopefully, it should be up and running by July.

Ian Burgess suggested that there could be a second-hand section, which was agreed.

Members will be able to buy to order and the items will be delivered to the Club.

A reminder was given about the Racing Night on 17<sup>th</sup> June 2023.

Meeting closed at 8-40pm.



## **Minutes of SGM – 16<sup>th</sup> March 2023**

### **Members of the Committee Present**

George Pettifor, Peter Beale, Clive Rew, Stephen Crocker, Christine Shefford, David Guy, John Clay, Ian Daniels, Hilary Davies, John Bramer and Steven Jones

### **Chairman – John Lewis**

The meeting commenced at 7-50pm after a delay, due to the large number of Members attending, and the fact that some Members, who had parked in the yard, were asked to move their cars as they were blocking access for the LifeBoat.

Because of the large number of Members attending, the proceedings were televised so that some members could be seated in the Bar.

Peter Beale started proceedings, but George Pettifor interrupted as he stated that he had made an agreement with the Flag Officers earlier in the day, that they would agree to allow John Lewis, an ex-Commodore, to chair the meeting.

It appears that the Flag officers had reneged on this Agreement, and this resulted in a 'battle' for control of the meeting through the microphone. There was a lot of unrest in the Room and a lot of members who felt that Peter Beale had a conflict of interest, as he had signed the Petition which led to the meeting.

A request was made from the floor for the Committee and others sat at the table to introduce themselves, which they did. A lot of comments were made from the floor and questions asked of the Vice Commodore. Nothing could be agreed, and due to the general disorder and frustration felt by the Members, it was proposed by Susan Williams that the vote of no confidence be taken.

It was eventually agreed that a vote was not required in respect of the Secretary and the Acting Treasurer, because of the wording of the Petition.

Paul Williams (Sid) proposed the motion that the Members have confidence in the Commodore, and Eddie Harvey seconded the proposal.

The vote commenced and the count took place – Simon Bevan was in charge of the vote, and it was overseen by representatives from both sides.

John Clay announced the result.

Members Present – 192

Votes cast – 178

Votes that Members had confidence in the Commodore – 91

Votes of no confidence – 87

Meeting closed at 9pm.



## SYSAC Annual General Committee Meeting

Location: Swansea Yachting Club lower function room

Date: 8/9/22

Time: 19:30hrs

Attendees: George Pettifor (GF) Standing Commodore  
 Phil Landeg (PL) Vice Commodore  
 Clive Rew (CR) Berthing master  
 John Bramer (JB) Diving Section Representative  
 Nick Westermark (NW) Berth Holders representative ???  
 Steven Jones (SJ) Diving Section Representative  
 Wayne Morgan (WM) Treasurer  
 Peter Davies (PD) Chairman Berth Holders  
 Peter Beale (PB) House representative  
 Harri Lloyd Davies (HLD) Bevan & Buckland, Auditor

Apologies:

John O’Kane (JO’K) Commodore  
 Bob Dowdle(BD) Secretary

Item no.	Agenda Item	Action & date
1	GP opened the meeting by requesting a show of respect for the recent passing of Her Majesty the Queen by a minute’s silence.	
2	The Agenda for the AGM was distributed to all attendees.  A member requested that each of the existing committee members should introduce themselves to the attendees. This request was honoured by each member, including their time and position within the club.	
3	GP advised that he had been contacted by JO’K who stated he needed to resign as the Commodore, due to a family health issue and request that GP continues as the Commodore.  No objections for GP being Commodore were received.	
4	PL advised that he could not continue the natural progression of the Commodore’s role as he was unable to commit the required time, and subsequently stated he believed GP would be a suitable Commodore.	

5	<p>GP stated that the last AGM was held in 2019.</p> <p>The 2019 AGM MOM's were issued to the meeting attendees and time was given to review their accuracy.</p> <p>The MOM's were proposed and seconded as a true and accurate account of the meeting.</p>	
6	<p>HLD advised that due to the pandemic there had not been opportunity to present the accounts for years 2020, 2021 &amp; 2022 to the members in this type of forum, therefore a copy of the accounts were distributed to the attendees and HLD presented the main items of relevance prior to a Q&amp;A session with the attendees.</p> <p>It was noted that all 3 years of accounts were reviewed and discussed.</p> <p>The key points inter alia;</p> <ol style="list-style-type: none"> <li>1. Profit 2020 was positive.</li> <li>2. Profit 2021 negative due to COVID impact, circa 31 weeks loss of trading i.e. bar &amp; galley sales. Income bolstered by external revenue support – Eat out to Help out, Furlough, City &amp; Council of Swansea (CCS) grants, etc.</li> <li>3. 2022 positive, even though COVID impact with circa 11 weeks of low trading.</li> <li>4. Capital investment including Conservatory, pontoon and bridge head refurbishment.</li> <li>5. Significant impact on Diving section due to COVID.</li> <li>6. Berth holders' income more consistent that other sections.</li> </ol> <p>All audits were complete and submitted on time.</p> <p>(Ref. Attached accounts for confirmation)</p>	
7	<p>GP advised that the Commodore's (J'OK) report had not been produced due to personal issues, however the main points to review include;</p> <ol style="list-style-type: none"> <li>1. The challenges that the club had experienced due to COVID.</li> <li>2. The improvements to the pontoons</li> <li>3. The Diving section challenges of low revenue generation</li> <li>4. The Fishing section not being able to go fishing</li> </ol>	
8	<p>GP explained that the normal process of election for positions on the Executive Committee (EC) had not been adhered to due to the inability to hold the AGM in a live forum. There were significant challenges from members regarding why, on this particular occasion, a postal election was necessary to be adopted, as there were concerns regarding inappropriate use of an unrecognised and less robust process being implemented.</p> <p>The EC believed it appropriate to implement a postal ballot method due to the high rates of COVID still in existence.</p> <p>Many members refused to accept this response.</p>	

	<p>It was concluded that there would be an AGM in 6 months' time to align with the club rules, where a traditional method of voting would be adopted. All positions on the EC would therefore be up for election.</p> <p>It was agreed if postal ballots were to be adopted in the future a robust and secure process should be adopted.</p>	ECM
9	<p>It was recorded that several vacancies on the EC were uncontested and therefore those nominees were assigned to the EC without further review;</p> <p>GP Commodore (as per earlier MOM)</p> <p>Stephen Crocker (SC) Secretary</p> <p>Ian Daniels (ID) House Member</p> <p>Clive Rew (CR) Rear Commodore</p> <p>John Clay (CR) House Member</p> <p>Paul Williams asked why CR was uncontested as he wished to be considered for the Rear Commodores position, and he further challenged CR's eligibility for the position regarding his duration on the EC.</p> <p>A member noted that the postal vote did not allow a vote for the Commodore's position, it was explained that during the time of the postal vote being posted the Commodore's position was not available, as there was a natural progression for PL to take over, however he had subsequently decided to step down.</p>	
10	<p>GP stated that the positions on the EC that were Up for election via the postal ballot process, were;</p> <p>Treasurer – WM vs Kevin Nicholas</p> <p>Vice Commodore – PB vs John Morgan</p> <p>Membership Secretary – Hilary Davies vs Ian Burgess</p> <p>The members would be notified of the results of the election on the 29/9/22.</p> <p>Members questioned PB being eligible for the position of Vice Commodore due to the fact he had only served 10 months on EC.</p>	
11	<p>Members raised a concern regarding capital expenditure not being communicated to the members and in particular, the modifications to the patio adjacent to the car park in the front.</p> <p>The EC stated this was money gifted (£10K) by the CCS and was an opportunity to develop the clubs' assets.</p> <p>Members reiterated their concern relating to poor communication amongst the club.</p>	



12	<p>A concern had been raised by members regarding the purpose of the Limited Company that had been registered in 2001 using the Clubs' name.</p> <p>It was explained that there were a few reasons at the time, with some of them still valid currently;</p> <ol style="list-style-type: none"> <li>1. Protection of the Clubs' brand, i.e. no other organisation using the name.</li> <li>2. Potential for protection of the members, trustees i.e. Incorporation.</li> <li>3. Limiting its liability.</li> <li>4. Potential of acquisition of Freehold of assets.</li> </ol> <p>Members raised concern that there had not been full disclosure of the intent of the situation and there was a lack of trust with the existing EC.</p>	
13	<p>A member asked if the club had exposure in contravention of the lease holding due to operating the club as a public house as opposed to a private members club.</p> <p>The EC advised that the CCS are more than in favour of the Club operate as we are. WM stated if we did no have the public trade we would be financially burdened.</p> <p>PD stated that due to a previous altercation in the Club, CCS and the Police threatened prosecution if the license wasn't changed, however this statement could not be substantiated formally.</p> <p>Members questioned why members should pay a fee if the club is opened to the public. Members disliked the public entering the club at convenience.</p> <p>Lack of trust between the members for the EC was further registered.</p> <p>It was agreed a forensic financial analysis would be conducted to determine the viability of returning to a Private Members Club.</p>	EC
14	<p>Expulsion of David Rees was noted as sensitive and a letter had been received today lodging a complaint and the taking of legal action, and as a result it cannot be discussed in the AGM.</p> <p>Members requested that the EC re-investigate the case and GP committed to revisit the case. It was noted that this issue has created a great angst amongst the members and should be resolved without further delay.</p> <p>Numerous EC members were not prepared to discuss the matter.</p>	
15	<p>Rules revisions</p> <ol style="list-style-type: none"> <li>1. Rule 14 – it was proposed for this rule to be removed as it was often referenced in relationship with RYA references. WM challenged this request, GP requested that Terry Carroll (TC), write to the EC with a proposed change for review.</li> <li>2. A proposed change to incorporate a limit to the duration committee members are permitted to be on the committee, a suggested being for a maximum of 8 years. Whilst this was neither agreed nor</li> </ol>	TC

	<p>disagreed, there was significant discussion to encourage younger club members to be encouraged to be members of the committee, including mentoring by and shadowing of the more experienced committee members to assist with the sustainability of the club. A younger female member of the Diving committee expressed concerns regarding previous suggestions receiving resistance from the more experienced members.</p> <p>3. Female members requested more presence on the committees.</p> <p>4. It was recognised that the EC need to encourage members to be part of a succession plan.</p>	EC
16	The new uncontested committee members and the proposed unelected (standing) members were asked to introduce themselves and state why they should be part of the EC.	
17	GP requested members to vote on their acceptance of him continuing as the Commodore until the next AGM, this vote was carried without any recorded resistance.	
18	PL apologised to the Club members for him not accepting the natural progression into the Commodore role and his resignation due to the fact he was unable to commit the appropriate time to fulfil the demands of the role, he wished GP the very best.	
19	The EC accepted members could attend Bevan & Buckland office during the counting of the election ballot, with John Morgan declaring an interest to attend.	
20	Meeting closed	