



# LAUNCH REQUIREMENTS STATEMENT

THE FOLLOWING IS THE RISK ASSESSMENT, LAUNCH REQUIREMENT STATEMENT AND OPERATING MANUAL USED FOR ALL BOOKINGS, LAUNCHES AND HIRES FOR TK WATERSPORTS, OUR REQUIREMENTS REGARDING LOCATION, TIDES, WEATHER AND ABILITY.

# TKL LEISURE Ltd t/a TK WATERSPORTS 12 GLOUCESTER COURT PLYMOUTH PL1 5EJ

www.tkwatersports.co.uk
Registered in England and Wales
Company Registration Number 11491621
Director - D Evans

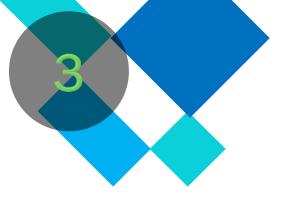


### PERSONAL SAFETY REQUIREMENTS

- All renters of kayaks or paddleboards from TK Watersports MUST be able to swim at least 50 metres and wear suitable clothing for paddling and wear the required buoyancy aids supplied, always whilst on the water.
- All renters of kayaks and paddleboards from TK Watersports MUST only use the
  equipment (kayaks, paddleboards, paddles, leashes, buoyancy aids, seats, dry
  bags etc.) supplied by TK Watersports for that rental.
- 3. All kayaking and paddleboarding with the equipment supplied by TK Watersports MUST be carried out with utmost safety in mind, not paddling beyond your own limitations, not paddling in a dangerous manner, following all instructions given by TK Watersports staff, harbour authorities, coastguard, RNLI or other authorised persons.
- 4. All kayaking and paddleboarding **MUST** be undertaken in a minimum group size of three persons (on three separate kayaks / paddleboards).

### **WEATHER REQUIREMENTS**

- 5. Wind speeds and wind gusts for all rentals MUST NOT exceed a forecasted 15kph or a moderate breeze. If the wind speed increases, then all paddlers MUST return to their launch point immediately or upon being instructed to do so. TK Watersports and our staff reserve the right to cancel the rental due to excessive winds and gusts.
- 6. Visibility MUST be always clear with no mist or fog forecasted. TK Watersports





## Useful Information

For information on the local paddling area, please refer to the

TK WATERSPORTS CUSTOMER
PADDLING, CARD

attached to every kayak and paddleboard we hire out. This gives information on where you can paddle, and what to do in an emergency as well as useful contact numbers.

and our staff reserve the right to cancel the rental due to poor visibility.

7. Bad Weather – light drizzle or light rain showers does not preclude paddling if visibility is not impaired, or wind speed is below 15kph with no gusts. NO PADDLING MUST TAKE PLACE IF CB CLOUD IS PRESENT OR THERE IS A THRET OF THUNDERSTORMS.

# LOCAL RESTRICTED AREAS AND OTHER RESTRICTIONS.

- 8. Kayakers and paddleboarders MUST NOT paddle within the operating area of a commercial marina such as Queen Anne's Battery, Sutton Harbour, Mayflower Marina etc., unless permission to paddle in that area has been sought.
- Kayakers and paddleboarders crossing the shipping lane MUST do so taking a direct route across the shipping lane and only crossing after ensuring that the lane is clear and safe to cross.
- 10. Kayakers and paddleboarders **MUST NOT** paddle in designated swimming areas and must always keep clear of swimmers.
- 11. Kayakers and paddleboards MUST NOT launch from or land on any private pontoon, ferry pontoon or other private structure without the permission of the owner.
- 12. Kayakers and paddleboarders, when paddling on the river Tamar north of Commando Beach and South of the Tamar Bridge MUST paddle only on the western side of the river. NO PADDLING MAY TAKE PLACE ON THE EASTERN SIDE OF THE RIVER TAMAR NEAR TO THE NAVAL BASE.
- 13. TK Watersports staff will advise during the safety briefing, where the best place to paddle will likely to be on that day, considering the wind, tide and sea conditions. Refer to the TK Watersports Customer Paddling Card for help.

### **ESCORTING NOVICE PADDLERS**

- 14. All novice paddlers **MUST** be accompanied by a member of TK Watersports staff or by other paddlers in the party who holds a paddle sport instructor qualification or the British Canoeing Level 3 Kayak Award or equivalent.
- 15. To qualify for an unescorted paddle, the minimum group size is three boats (kayaks or paddleboards) and nominate a group leader, who is suitably experienced and qualified. All instructions of the group leader MUST be obeyed by the other paddlers in that group.

# **RISK ASSESSMENTS STATEMENT**

KAYAKING AND PADDLEBOARDING **PRESENTS MANY UNIQUE** CHALLENGES. WHICH IS WHY CARRYING OUT A THOROUGH RISK ASSESSMENT BEFORE YOU TAKE TO **WE'VE WATER** IS VITAL. CREATED **KAYAKING AND PADDLEBOARDING RISK** ASSESSMENT CHECKLIST WHICH **IDENTIFIES THE COMMON HAZARDS** ASSOCIATED WITH KAYAKING, THE YOU CAN TAKE TO MINIMISE THEIR to demonstrate these to you. IMPACT.

TK WATERSPORTS **CARRIES** PROFESSIONAL INDEMNITY INSURANCE **INSURANCE PUBLIC** LIABILITY COVERING UP TO £10 MILLION OF LIABILITY.

### **MUSCLE INJURIES**

There are two ways in which kayakers and paddle boarders can suffer muscle injuries - either while loading and unloading their kayak or paddle board, or during paddling. Here's a list of precautions which will help alleviate the risk of muscle injuries.

- Make sure at least two people carry each kayak.
- Use at least two people to share the load when moving boats or equipment.
- RISKS THEY CREATE AND THE STEPS Research proper lifting techniques or ask a member of TK Watersports staff
  - Ensure you are wearing a tightly fitted buoyancy aid.
  - Ensure that a proper warm-up routine is carried out before every paddle.
  - Practice paddling techniques that avoid injury.
  - Ensure you receive training in rescue techniques that avoid excessive strain when handling waterlogged boats and heavy kayaks or paddleboards in the water.

### **DROWNING**

If you're paddling in deep waters like lakes, rivers and seas, there is a risk of drowning (albeit a relatively low risk as you're in a kayak or on a paddleboard).



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Here are some measures to help minimise this risk. If renter is a novice kayaker or paddleboarder, they must be escorted on the paddle by a member of TK Watersports staff, and that staff member will ensure that these steps are put in place.

- Buoyancy aids **must** be worn and correctly fitted.
- Keep away from bank and canal side edges.
- Leaders with a Paddle Sport Instructor Award or above must hold a first aid certificate.
- Leaders must be trained to carry out resuscitation techniques.
- The appropriate safety and rescue methods for kayaking and paddleboarding will be understood and followed by all paddlers.
- A capsize drill with all novices must be demonstrated in controlled conditions, with them showing their ability to right the kayak or paddleboard and climb back on safely unaided and with the help of other paddlers.
- There must be an appropriate group to staff member ratio for the environment. The typical industry standard is one leader to four kayakers or paddleboarders.

### SEVERE WEATHER

Some of the <u>best kayaking and paddleboarding spots</u> are known for their volatile weather conditions. While battling wind, waves and rain can sometimes be enthralling; sometimes it can be dangerous – especially when you're up against severe tides or currents. To stop the weather from causing significant problems while you're in the water, you or your leader should:

- Allow for the worst possible weather. TK Watersports does not permit paddling with our equipment if the forecasted wind speed exceeds 15kph.
- Obtain a reliable local weather forecast and be ready to assess conditions and change plans as appropriate.
- Map out suitable emergency escape routes in the event of bad weather.
- Continually observe the weather while kayaking and where necessary, take suitable action to eliminate or reduce its associated risks.

### **HYPOTHERMIA**

Again, there is only a moderate probability of suffering from hypothermia while kayaking or paddleboarding.



For information on the local paddling area, please refer to the

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PADDLING, CARD

attached to every kayak and paddleboard we hire out. This gives information on where you can paddle, and what to do in an emergency.



Hypothermia is the term which is used to describe a drop in body temperature and can be brought on by a number of factors, including inadequate clothing in cold weather, falling into cold water and getting cold in wet clothes. Therefore, the following steps should be taken:

- TK Watersports staff must ensure all kayakers and paddleboarders are appropriately clothed for kayaking.
- Renters must have spare clothing, hot drinks and high energy foods available, in the event a kayaker suffers from hypothermia.
- If going on a kayaking ore paddleboarding trip, TK Watersports staff will ensure that their group carries appropriate equipment to deal with mild and severe hypothermia.
- All renters must undertake the launch briefing at the beginning of their rental period. that includes preventing, diagnosing and dealing with hypothermia.

### **CONTAMINATED WATERS**

When you're kayaking, or paddleboarding you are at risk of encountering contaminated water – perhaps it could infect a wound, or you could accidentally swallow it. In the most extreme cases, this can result in waterborne diseases like Leptospirosis, which causes headaches, muscle pains and fevers. To manage the risks of contaminated water, there are a few steps you can take.

- The water quality will be assessed by TK Watersports staff before paddling.
- All cuts and grazes must be covered with waterproof plasters.
- Wash your hands before eating after you've been kayaking or paddleboarding.
- Equipment needs to be rinsed with clean fresh water after each activity.

### **COLLISIONS**

Even the most skilled and experienced kayakers can collide with other paddlers or solid objects such as rocks. While most of these collisions are fairly minor, the occasional collision could result in injury or damage to the kayak or paddleboard. To avoid this happening:

• Renters will be suitably briefed to identify potential dangers.



# OPERATING MANUAL FOR TK WATERSPORTS

THE FOLLOWING IS THE OPERATING MANUAL BY WHICH TK WATERSPORTS OPERATES OUR KAYAK AND PADDLEBOARD HIRE SERVICE IN THE PLYMOUTH SOUND AREA.

### **YOUR SAFETY**

1. All of our instructors and guides are vetted, and DBS checked and cleared to work with those under 18 years of age. Our guides will carry a VHF marine radio so we're in contact with the coastguard or harbourmaster. ALL INSTRUCTIONS ISSUED BY LIFEGUARDS, OR OUR SAFETY BOAT OPERATORS, INSTRUCTORS, COACHES AND GUIDES, **MUST** BE FOLLOWED AT ALL TIMES. Failure to follow these instructions will result in the hire being terminated without refund.

### **BOOKING**

- 2. Bookings are available seven days a week and must be made by prior appointment. We do not have the facility to provide rentals without notice due to logistical reasons. Full payment of the rental charges must be paid at time of booking. The charges are set out when booking. There is an additional charge of £25.00 per person for an instructor or guide for your trip, to pay for the instructors / guide's time.
- 3. Kayaks and paddle boards are booked out for hire for set periods each day, with half day hires limited to four hours and full day hires limited to eight hours, it is the responsibility of the hirer to ensure that they arrive punctually at the start of their hire

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period and that the kayaks and paddle boards **MUST** returned on or before the end time of the hire period, failure to do will result in additional hire charges being made, or/and charges made for search and rescue purposes.

- 4. Rentals of 24, 48-hour, 3 Day, 7 Day or 30-Day periods are available, and hirers **MUST** ensure that all property of TK Watersports<sup>™</sup> and its franchisees is kept secure, locked and insured when not in use. TK Watersports<sup>™</sup> and its franchisees reserves the right to charge the full replacement cost for any of our equipment not returned
- 5. Upon booking, you 'II be issued with your 'R' booking reference number, example #R12345678, and you will need to provide this number to your TK Watersports operator when confirming a date for your booking, and on the day of the activity itself. You will also need this number should you wish to change, amend, or cancel your booking.

### **DEPOSITS, PERSONAL IDENTIFICATION USE, AND INDEMNITIES**

- 6. A security deposit of £50 (refundable) **MUST** be paid per kayak or paddleboard on the day of your rental and **MUST** be supported with photo ID in the form of a current passport or photo driving licence where a copy will be taken and retained by TK Watersports<sup>™</sup> and its franchisees. All our boats carry serial numbers and are easily identifiable. In the case of equipment not being returned we will always involve the Police and other agencies in the attempt to reclaim our equipment. All our boats are fitted with GPS trackers so you and our boats can always be located. The deposit will be forfeited if the terms of this agreement are not met or followed, or if you are more then 15 minutes late returning at the end of your hire.
- 7. As the main renter, you will be responsible for all the equipment owned by TK Watersports<sup>™</sup> or it's franchisees which is being used by members of your group. All paddlers **MUST** conduct their kayaking and paddle boarding activities in a safe and considerate manner

### **AGE RESTRICTIONS**

8. Any person under the age of 18 must be accompanied by a responsible adult. Sorry kids but we do not hire to persons under the age of 18 who are unaccompanied. The minimum age of a child riding in a double seat kayak with an adult will be 5 years and in single seat kayaks will be 8 years.

### **DELIVERY AND COLLECTION**

9. TK Watersports<sup>™</sup> and its franchisees will make arrangements for your rented kayaks and paddle boards and their associated equipment to be available at your launch location on the day requested and TK Watersports<sup>™</sup> and it's franchisees will collect from the same location at the end of your rental. A fee will be charged for the delivery and collection service.

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### **CLOTHING, BUOYANCY AIDS AND ACCESSORIES**

- 10. All participants **MUST** wear a correctly fitted buoyancy aid always provided by TK Watersports<sup>™</sup> whilst kayaking and paddle boarding with our equipment. Helmets provided **MUST** be worn by those under 13 years of age. Use of your own buoyancy aid is not permitted with our equipment as it may not meet our minimum specification requirements.
- 11. It is the responsibility of the hirer to ensure that they wear suitable clothing as these will get wet, and sun cream where appropriate and that they are fit enough to participate.
- 12. TK Watersports™ will provide a dry bag on request of a hirer to contain personal belongings. It is the responsibility of the hirer to ensure that it is fastened shut correctly and in conjunction with the supplied instructions.

### **SAFETY BOAT**

13. In some of our operating areas, large paddling groups will be accompanied by our safety PWC or rib on which the duty operator is fully trained in marine rescue and first aid. THE SAFETY PWC OR RIB MUST NOT BE OPERATED BY CUSTOMERS AND IS ONLY TO BE DRIVEN BY RYA POWERBOAT TRAINED STAFF EMPLOYED BY TK WATERSPORTS OR IT'S FRANCHISEES.

### **INSURANCE**

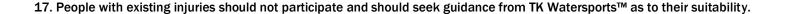
14. TK Watersports<sup>™</sup> and its franchisees hold a valid £10 Million Public Liability, £1 Million Professional Indemnity Insurance, and Employers Liability Insurance policy to cover participants whilst hiring our kayaks or paddle boards, this policy will NOT cover injuries caused or inflicted by your own, or another participant's carelessness.

### **DISCLAIMER**

15. Paddlers should be aware that kayaking and paddle boarding can be dangerous. Hazards include (but not limited to); drowning, hypothermia, repetitive strain injury, slips, trips, falls, paddle strike, muscular injuries from paddling or moving equipment. All participants accept that the above-mentioned hazards may occur. TK Watersports™ it's franchisees or insurers accepts no responsibility or liability whatsoever for death or personal injury, or for any loss or damage to personal belongings incurred whilst hiring any of our kayaks or paddle boards, or using our equipment, UNLESS that death, personal injury or loss of, or damage to the goods arises directly from an act of omission on the part of the TK Watersports™ and its franchisees, its servant or agent, or held liable in law.

# WATERSPORTS

16. The hirer agrees to pay for, and indemnify TK Watersports, its franchisees, or insurers against claims for, any lost or damaged equipment not belonging to TK Watersports or it's franchisees, where the loss or damage is caused by your paddling activities whilst using our equipment. Examples would include damage to vessels, docks, buoys, and pontoons caused by you striking the object or vessel with your hired boat. TK Watersports™ and its franchisees reserve the right to compensate themselves, and claim against you for any loss or unnecessary damage to our kayaks, paddle boards or equipment including paddles, helmets, seats, buoyancy aids, lights, dry bags, thigh braces, spray decks, cags etc. The hirer agrees to pay in full, the replacement costs of any missing, lost or damaged equipment belonging to TK Watersports or it's franchisees.



### **LOCAL RESTRICTIONS**

18. Renters will be restricted to Kayaking and paddle boarding within a designated area, details of this area will be issued to renters on the day of rental. Kayaks or paddleboards belonging to TK Watersports or it's franchisees, MUST NOT be taken more then 1 (one) nautical mile offshore and Sea touring kayaks MUST NOT be paddled more than 3 (three) nautical miles offshore. Paddlers are reminded that they do not need to paddle in the main shipping channel (shown by a yellow line on the TK Watersports Customer Paddling Card) but can explore the edges of the river out of the way of other vessels. Restrictions are in place in the following areas.

- A) Paddlers are to stay well clear of naval vessels and MUST NOT paddle in the vicinity of Devonport Dockyard (paddlers to keep to the Cornwall side of the river Tamar), keep clear of the Brittany Ferries in Millbay Marina, and do not enter Mayflower Marina, Queen Anne's Battery, and MUST NOT paddle within the perimeter of any private or commercial marina.
- B) You MUST NOT launch from or land on any private, commercial or ferry pontoon. The only public pontoon is the floating pontoon next to the sea wall at Phoenix Wharf. For help you can refer to the TK Watersports Customer Paddling Card attached to the boat.
- C) No landing is permitted on Drake's Island <u>except</u> that you may land on the beach on the northern side of the island only. You must not attempt to access any other part of the island. This is so you do not disturb nesting birds and the local wildlife.

### **CANCELLATIONS, TERMINATIONS AND REFUNDS**

19. Any person who appears to be under the influence of Alcohol or drugs will not be allowed to hire a kayak or paddleboard and will not be eligible to a refund.

20. TK Watersports™ and its franchisees reserve the right to cancel hire of their kayaks and paddle boards if they perceive

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weather conditions to be unsuitable for kayaking and / or paddle boarding. In these instances, the hirer will be offered to rebook for an alternative time or be issued with a full refund, or a TK Watersports gift card.

- 21. Any cancellations made by you more than 30 days before a booked slot will be eligible to a full refund, 14 to 30 days before a 50% refund will be given. Between 7 and 13 days before the booking a 25% refund will be given. Less than 7 days before or in the event of you not turning up for your hire or activity, no refund will be offered UNLESS cancelled by us due to unsuitable weather or sea conditions, pursuant to clause 20, or by you due to a genuine provable emergency. We will need your 'R' booking reference number to process your refund.
- 22. We reserve the right to terminate the hire without a refund if any of the conditions of this agreement are breached, or if the instructions issued by TK Watersports, its staff, agents, or franchisees are not followed.

### **CHANGES TO AGREEMENT**

23. TK Watersports™ and its franchisees have the right to amend or change these terms and conditions at any time.

### **DEFINITIONS**

24. 'Renters', 'Paddlers', 'You', 'Hirer', 'Customers' shall always refer to you, the customer of TK Watersports™ and its franchisees

25.This agreement is governed by and under the jurisdiction of English Law. 'Our', 'TK Watersports™', 'We', 'Us', shall always refer to TKL Leisure Ltd, 12 Gloucester Court, Cross, Plymouth, Devon PL1 5EJ,

STATEMENT; RISK ASSESSMENT STATEMENT AND OPERATING HAS BEEN APPROVED BY
THE BOARD OF TKL LEISURE LTD ON 10th MAY 2022.

**Darren Evans** 

Chief Executive Officer.

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### **USEFUL CONTACT**

#### **NUMBERS**

TK WATERSPORTS CONTROL:

07462 427327 / VHF CHANNEL 16 Callsign TK-One

> 01752 836953 / VHF CHANNEL 14

> CATTEWATER HARBOUR MASTER: 01752 669534 / VHF CHANNEL 16

### AREAS WHERE PADDLING IS NOT PERMITTED

All kayakers and paddleboarders must stay well clear of the HM Naval Base at Devonport, (red shaded area on the map) the refuelling supply depot at Torpoint, and the armaments depot at Ernsesttle. When padding on the River Tamar, please paddle on the Cornwall side of the river (the western side). Please be aware that there are three chain car ferries operating between Devonport and Torpoint, and DO NOT paddle in front of the ferry, wait for the ferry to pass. DO NOT LAND ON ANY PASSENCER FERRY PONTOON.

#### AREAS WHERE PADDLING IS PERMITTED

Please keep to the green line areas shown on the map. When paddling around Drake's Island, please be aware that seals and other wild animals live in the waters surrounding the island, and nesting birds on the island itself. You are permitted to land on the beach on the northern side of the island. Landing on the rest of the island is not permitted. There is an area of extremely important seagrass on the southern side of the island, where you may paddle through, but please do not damage the seagrass in any way. Do not hand feed any wild animal. Always watch for boat traffic in the shipping Lane indicated by the yellow line on the map. When landing, only use public slipways, public portioons and beaches.

#### WATCH THE WEATHER

If the weather is looking like it is getting worse, please do not hesitate to paddle back to your launch location and call TK Watersports control on 07462 427327 for advice.



#### PADDLING CARD

We have provided you with this information card on your paddle today, to help you navigate our local waters, understand emergency procedures and provide you with contact numbers in case of an emergency. Please enjoy your paddling experience with us today.

#### **CAPSIZE RECOVERY**

Should you be unfortunate to fall off your kayak or paddleboard, don't not panic. Simply flip the kayak or paddleboard the correct way up and climb back on from the side. Your paddle should be connected to the boat with the leash provided.



IN AN ABSOLUTE EMERGENCY, RING 999 AND ASK FOR THE COASTGUARD.



#### Certificate of Employers Liability Insurance

Where required by regulation 5 of the Employers' Liability (Compulsory Insurance) Regulations 1998 (the Regulations), one or more copies of this certificate must be displayed at each place of business at which the policy holder employs sersons covered by the noticy).

icy number:

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Date of commencement of in

Date of expiry of insurance

hereby certify that subject to paragraph

- the policy to which this certificate relates satisfies the requirements of the relevant law applicable in Great Britain Northern Ireland, the Isle of Man, the Island of Jersey, the Island of Guerney, the Island of Alderney, or to offshore installations in territorial waters around Great Bratan and its Continental Sheff (b)
- 2. the minimum amount of cover provided by this policy is no less than £5 million (c

Signed on behalf of Aviva Insurance Limited (Authorised Insure



#### Notes

- (a) Where the employer is a company to which regulation 3(2) of the regulation applies the certificate shall state in prominent place, either that the policy covers the holding company and all is subsidiaries, or that the policy covers the holding company and all its subsidiaries except any specifically excluded by name, or that the policy covers the holding company and only the named absolitairies.
- (b) Specify applicable law as provided for regulation 4(6) of the Regulations.
- (c) See regulation 3(1) of the Regulations and delete whichever of paragraphs 2(a) or 2(b) does not apply. When 2(b) is applicable, specify the amount of cover provided by the relevant policy.

The Boyals, Attricham Boad, Manchester M22 483. Iterated sperif is a trading name of Ripe Imurance Services Limited. Registere is England. No. 0567313. Authorised and registed by the Financial Conduct Authority. Registation Nations 313411.

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