

Burnham Week - Protest - Saturday 26th August 2023

Protest Committee:

- Nick Milton (Chairman)
- Robert Coyle
- Adam Prior

Event / Fleet / Race:

- Burnham Week - Class 1 - Race 1

Facts presented by yacht Cobra:

- Yacht Cobra was leading class 1, and as they reached the finishing line (laid to the north of the committee boat) they ran aground, although were able to keep moving
- A following yacht nearly collided with them because they slowed down as they ran aground, which they considered to be dangerous
- They crossed the line at approximately 13:18
- Cobra noted that the committee boat was very close to the north shore of the River Crouch
- Yacht Exile was following and it appeared that they too ran aground as they crossed the finish line
- After Cobra and Exile had crossed the finishing line, every other yacht in class 1 was seen to sail south of the committee boat, and Cobra questioned how they were given a finish if they did not go through the finish line as described in the Sailing Instructions
- Cobra felt that the finish line, as laid, was not a navigable finish line
- Although they further noted that Cobra and Exile, which draw the most water of any of the class 1 fleet, had been able to sail the correct side of the committee boat on a rising tide
- As a result, only yachts Cobra and Exile sailed the correct course
- Yacht Cobra stated they did not know why the other boats did not sail the correct course
- Yacht Cobra did not feel that the other boats had gained an advantage, however, only Cobra and Exile finished the race in accordance with the course and sailing instructions - if the other boats gained an 'advantage' it was by virtue of being given a finish despite not sailing the correct course
- They did not feel the need to call any other witnesses in support of their protest

Information provided by Race Officer Edwin Buckley (as requested by the Protest Committee):

- After the first two yachts in class 1 crossed the finish line it became apparent that there was limited water for other yachts to sail through the line
- The Race Officer, therefore, decided that there was a safety concern and signalled to yachts in classes 1, 2, 5 and 6 to go to the south of the committee boat
- This was done by visual signals, not VHF communications
- The signals were only given to larger yachts as it was deemed safe for keelboat classes to finish the race using the finish line
- The committee boat was in 2.0m of water and he did not have details of the draughts of the various yachts in classes 1, 2, 5 and 6
- Low water was noted as being at 13:58
- Cobra finished very close to the committee boat
- Boats which sailed to the south of the committee boat were timed by taking a reciprocal bearing from the finish line
- All boats which sailed to the south of the committee boat did so in close proximity to the committee boat

Fact found:

- Yachts Cobra and Exile completed the correct course and finished in accordance with the sailing instructions
- The other yachts in Class 1 did not complete the correct course
- There were no official instructions from the Race Officer given to the other yachts in Class 1

Decision:

- The protest is upheld
- Apart from yachts Cobra and Exile the other boats in Class 1 infringed rule 28.1 and Sailing Instruction 14.1 by not sailing the correct course
- Yachts Cobra and Exile will be scored according to their finishing positions and handicap rating
- All other yachts in Class 1 are disqualified

Burnham Week - Request for redress - Saturday 26th August 2023

Protest Committee:

- Nick Milton (Chairman)
- Robert Coyle
- Adam Prior

Following the protest by yacht Cobra which was upheld by the Burnham Week Protest Committee, a written request for redress for disqualified yachts in Class 1 was received from Race Officer Edwin Buckley

Grounds for seeking redress:

- Following the completion of Race 1 of Burnham Week 2023 by yachts Cobra and Exile, the Race Committee made an improper action by signalling other yachts in Class 1 to sail south of the committee boat.
- As a result, following the protest lodged by yacht Cobra, they were disqualified for not having sailed the correct course (Rule 28.1 and SI 14.1)

Facts Found:

- Improper signals were made by the Race Committee to yachts which resulted in them sailing the wrong side of the committee boat and not completing the race
- The Race Committee timed the finish of each boat in Class 1 using a reciprocal course from the finish line
- Yachts in Class 1 passed close to the Committee Boat
- As noted by yacht Cobra, no advantage was gained by yachts sailing to the south of the Committee Boat

Decision:

- Request for redress is upheld
- Sailing Instruction 4.1 requires competitors to comply with reasonable requests from race officials, which they did
- In light of this, yachts in Class 1 will be given a finishing according to the times recorded by the Committee Boat and their handicap rating