

ANGUS COUNCIL

COMMUNITIES COMMITTEE - 12 APRIL 2016

**THE ANGUS COUNCIL (THE SENIOR OPEN CHAMPIONSHIP, CARNOUSTIE) (EXEMPTION)
ORDER 2016**

REPORT BY THE HEAD OF PLANNING AND PLACE

ABSTRACT

This report relates to the introduction of an Order to exempt temporarily four areas of land in the vicinity of Carnoustie Links, from access rights which would otherwise be exercisable under the Land Reform (Scotland) Act 2003, to accommodate The Senior Open Championship in July 2016.

1. RECOMMENDATIONS

It is recommended that the Committee:

- (i) approves the making of the proposed Order, subject to the Scottish Ministers' confirmation of the terms of the Order; and
- (ii) authorises the Head of Legal and Democratic Services to make the Order including any amendments necessary in the event that the Scottish Ministers require modifications to the proposed Order and to report the same to a subsequent meeting of this Committee.

2. ALIGNMENT TO THE ANGUS COMMUNITY PLAN/SINGLE OUTCOME AGREEMENT/COPORATE PLAN

This report contributes to the following local outcome contained within the Angus Community Plan and Single Outcome Agreement 2013-2016:

- Communities that are prosperous and fair
- We have a sustainable economy with good employment opportunities
- Angus is a good place to live in, work in and visit

3. BACKGROUND

The Senior Open Championship will be held in Carnoustie between 21 and 24 July 2016. The terms of the Land Reform (Scotland) Act 2003 permits the public to exercise access rights over Carnoustie Links. See **Appendix 1**.

4. PROPOSALS

So as to allow the Championship to take place it is necessary to exempt temporarily four areas of ground in the vicinity of the Links from those access rights. The proposed dates and the reasons for each of the required exemptions are set out in the draft Order which is annexed to this report - **Appendix 2**. The duration and extent of the exemptions sought are considered necessary to secure the health and safety of the public during the construction and dismantling of the infrastructure necessary to support the event, to maintain course security and to allow a charge to be made for admission.

The exempted area will include the cycle route between Barry Station and Carnoustie, which will be closed for seven days. A diversion route will be signposted during this period.

The R & A and the European Tour as organisers of the event have been fully involved in the preparation of the proposed Order which was advertised in the Courier and Advertiser on 4 March 2016 with public files being made available in Carnoustie and Forfar. In addition, the statutory obligation to consult the Angus Local Access Forum and other parties considered appropriate has been undertaken.

In terms of legislation, exemption Orders having effect for 6 days or more are required to be sent to the Scottish Ministers for confirmation. The Scottish Ministers may (a) approve the application; (b) may approve it subject to such amendments as they consider appropriate having regard to any objections received; or (c) may cause an inquiry to be heard. The proposed Order will shortly be submitted to the Scottish Ministers for confirmation as required.

Members are asked to approve the making of the proposed Order, subject to the Scottish Ministers' confirmation of the terms of the Order.

5. FINANCIAL IMPLICATIONS

The small cost of advertising the Order will be recharged to the event organiser. There are no other financial implications.

6. CONSULTATION

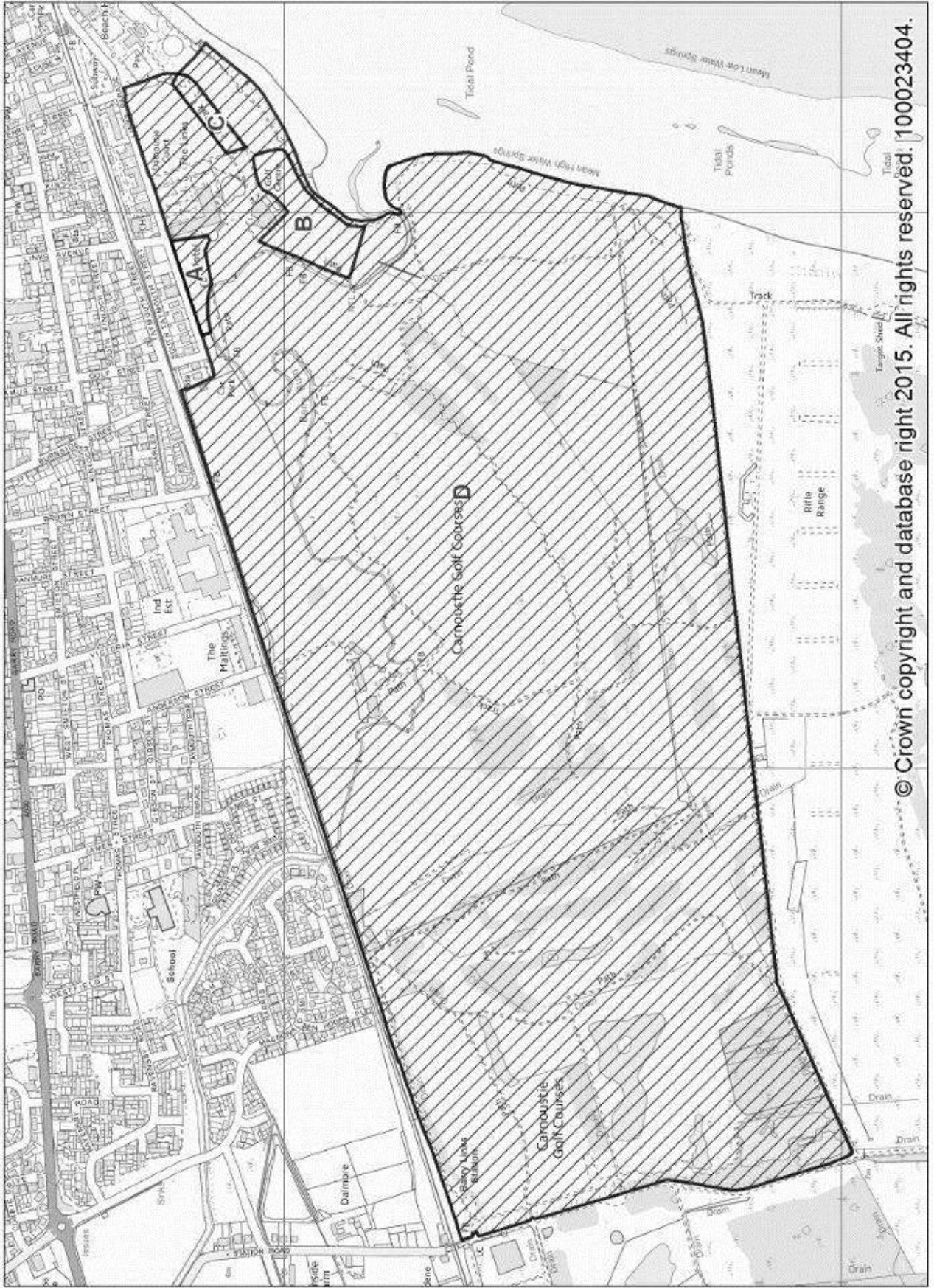
The statutory obligation to consult the Angus Local Access Forum and other parties considered appropriate has been undertaken.

NOTE: No background papers, as detailed by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information) were relied on to a material extent in preparing the above report.

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List of Appendices:

Appendix 1 – Plan
Appendix 2 – The draft Order



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ANGUS COUNCIL

LAND REFORM (SCOTLAND) ACT 2003

ANGUS COUNCIL (THE SENIOR OPEN
CHAMPIONSHIP, CARNOUSTIE) (EXEMPTION)
ORDER 2016

2016
AEG/PG

Subjects: Event Infrastructure, tented village, site
construction compound, Carnoustie Golf Courses
(including cycle path and other core paths
contained therein)

Head of Legal and Democratic Services
Angus House
Orchardbank Business Park
FORFAR

ANGUS COUNCIL

LAND REFORM (SCOTLAND) ACT 2003

THE ANGUS COUNCIL (THE SENIOR OPEN CHAMPIONSHIP, CARNOUSTIE) EXEMPTION ORDER 2016

Angus Council in exercise of the powers conferred on them by Section 11(1) of the Land Reform (Scotland) Act 2003 ("the Act") and of all other powers enabling them in that behalf, having consulted with the Angus Council Local Access Forum and other persons they consider appropriate, having given public notice of the intended purpose and effect of the Order, and having considered any objections and representations made to them, all in accordance with Section 11(2) of the Act, hereby make the following order:-

1. This Order may be cited as the "The Angus Council (The Senior Open Championship, Carnoustie) (Exemption) Order 2016 and shall come into effect at 06.00 hours on Monday 4 July 2016 and will expire at 23.59 hours on Friday 5 August 2016, unless revoked earlier.
2. In the Order "the Event" means The Senior Open Championship, Carnoustie 2016.
3. The effect of the Order is to exempt:-
 - (i) between Monday 4 July and Friday 5 August 2016 inclusive, Areas A, B and C comprising the putting green, the area adjacent to the golf centre and the black slab car park respectively shown outlined and hatched in blue and entitled "A", "B" and "C" on the plan annexed and executed as relative hereto (hereinafter referred to as "the Plan"), which sites shall be used for event infrastructure, tented village and site construction compound respectively)
 - (ii) between Monday 18 July and Sunday 24 July 2016 inclusive, Area "D" comprising Carnoustie Golf Courses shown outlined and hatched in red and entitled "D" on the Plan (which Area D shall include the cycle path and other core paths indicated in purple on the Plan) which land will fall within the pay gates for the event or will otherwise be required for car parking or other amenities and for security of the eventfrom the access rights which would otherwise be exercisable in respect of that land by virtue of Part 1 of the Act.
4. The purposes for which the Order is made are:-
 - (a) to secure the health and safety of the public during the construction of the infrastructure necessary to support the event, and thereafter the dismantling;
 - (b) to secure the health and safety of the public during the event from support and contractors' vehicles;
 - (c) to maintain course security prior to and during the event; and
 - (d) to allow a charge to be made for admission to the event.

SIGNED at FORFAR on the [] day of [] 2016.