Abstract
This report relates to the introduction of an Order to exempt temporarily five 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 RICOH Women’s British Open Championship in July 2011.

1 Recommendations
1.1 The Committee is requested:-

(a) to approve the making of the proposed Order, subject to the Scottish Ministers’ confirmation of the terms of the Order; and

(b) to authorise the Head of Law and Administration 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 Background
The RICOH Women’s British Open Championship will be held in Carnoustie between 28 and 31 July 2011. The terms of the Land Reform (Scotland) Act 2003 permit the public to exercise access rights over Carnoustie Links.

3 Proposals
It is considered necessary to exempt temporarily five 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. The duration and extent of the exemptions sought are deemed 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.

On behalf of the Ladies’ Golf Union, IMG as organisers of the event have been fully involved in the preparation of the proposed Order, the Notice for which was published in the Courier and Advertiser on 1 April 2011 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) approve it subject to such amendments as they consider appropriate having regard to any objections received; or (c) cause an inquiry to be heard. The proposed Order will shortly be submitted to the Scottish Ministers for confirmation as required.

It should be noted that the closure of the cycle track shown coloured blue on the plan attached to the draft Order will require a separate Temporary Traffic Order, the arrangements for which will be made by the Director of Infrastructure Services in due course.
FINANCIAL IMPLICATIONS
There are no financial implications arising from the recommendations contained in this report.

HUMAN RIGHTS IMPLICATIONS
There are no human rights implications arising from this report.

EQUALITIES IMPLICATIONS
The issues contained in the report fall within an approved category that has been confirmed as exempt from an equalities perspective.

CONSULTATION
The Chief Executive, Director of Infrastructure Services, Head of Finance, Head of Roads and Head of Law and Administration have been consulted in the preparation of this report.

CONCLUSION
The Order is required to enable The RICOH Women’s British Open Championship to be held safely and in an organised manner.

COLIN MCMAHON
DIRECTOR OF CORPORATE SERVICES

NOTE:
The following background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information), were relied on to any material extent in preparing the above report are contained in file 7/44/1(17).
ANGUS COUNCIL
LAND REFORM (SCOTLAND) ACT 2003

THE ANGUS COUNCIL (THE RICOH WOMEN’S BRITISH OPEN CHAMPIONSHIP, CARNOUSTIE) (EXEMPTION) ORDER 2011

2011
MD

Subjects: Tented Village Site; Cycle Track linking Barry Station and Burnside Starter’s Box; Black Slab area; and Carnoustie Golf Courses

Head of Law and Administration
Angus House
Orchardbank Business Park
FORFAR
ANGUS COUNCIL

LAND REFORM (SCOTLAND) ACT 2003

THE ANGUS COUNCIL (THE RICOH WOMEN’S BRITISH OPEN CHAMPIONSHIP, CARNoustie)(Exemption) ORDER 2011

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 the Angus 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 RICOH Women’s British Open Championship, Carnoustie)(Exemption) Order 2011” and shall come into effect at 0600 hours on Wednesday 6 July 2011 and will expire at 2359 hours on Monday 8 August 2011.

2. In this Order “the event” means The RICOH Women’s British Open Championship, Carnoustie 2011.

3. The effect of the Order is to exempt:-

   i) between Wednesday 6 July and Monday 8 August 2011 inclusive, the putting green area shown delineated and coloured brown on the plan annexed and executed as relative hereto (hereinafter referred to as “the Plan”), which site will constitute the hospitality area;

   ii) between Monday 11 July and Monday 8 August 2011 inclusive, the area adjacent to the Carnoustie Hotel which will form the tented village site shown delineated and coloured yellow on the Plan, upon which site construction and other preparatory work will begin, with the increasing presence of contractors and their work vehicles, including forklift trucks, undertaking building works in advance of the commencement of the event, after completion of which contractors will return the site to its original condition;

   iii) between Monday 18 July and Thursday 4 August 2011 inclusive, the cycle track linking Barry Station and the Burnside Starter’s Box shown delineated and coloured blue on the Plan, which cycle track will be subject to movement of large articulated lorries and other vehicles used to transport infrastructure for the tented village and establish the television compound, which is included in the area coloured blue, and thereafter will be in constant use by support vehicles as well as by contractors’ vehicles and golf buggies in connection with the event;

   iv) between Friday 22 July and Monday 1 August 2011 inclusive, the area known as the Black Slab together with the grassed areas lying to the north and south thereof shown delineated and coloured green on the Plan, which area will be utilised as reserved car parking for the event; and

   v) between Sunday 24 July and Monday 1 August 2011 inclusive, the Carnoustie Golf Courses to the extent shown delineated and coloured pink 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 the security of the event from 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;

b) to secure the health and safety of the public during dismantling of the said infrastructure;

c) to secure the health and safety of the public during the event from support and contractor’s vehicles;

d) to maintain course security prior to and during the event;

e) to allow a charge to be made for admission to the event.

IN WITNESS WHEREOF